

Socialisation Problems of Entrants

into the Legal Profession during

Articles of Clerkship

Wendy E Lambourne

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Supervisors: Associate Professor L Human and Dr A M Kellerman



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The aim of the study was to identify perceptions of problems in the effective integration of entrants into the South African legal profession. Two types of problems were investigated. Firstly, typical entrant problems; that is, problems which typically are experienced by newcomers into organisations. Secondly, problems which are specifically related to the race and/or gender of organisational entrants.

Nominal group discussions were held with people who were currently experiencing problems. From these and from a review of the relevant literature a questionnaire was developed. Four hundred and fifteen questionnaires were administered by mail and completed by 91 clerks and 54 attorneys from a selected number of firms in the Witwatersrand area - a response rate of 34,9 % . Respondents were required to respond on a five point Likert-type scale to 46 statements each depicting a possible problem.

Descriptive analyses of the responses showed that all entrant, race-related and gender-related problems investigated were perceived to exist by at least some clerks and attorneys in the legal profession, since either 'strongly agree' or 'agree' responses were made on all of the 46 items.

More than 50 % of respondents perceived a lack of measurable performance standards, a lack of feedback, lack of a training plan, insufficient structure in the training, and a lack of formal instruction as entrant problems. Attorneys' lack of coaching and training skills, lack of support by secretarial staff and pressure on black clerks to help their communities were seen as problems by more than 30 % of respondents. Regarding the remaining 38 items, less than 30 % of respondents in each case perceived the problem depicted by the item to exist.

One way analyses of variance were carried out to test for statistically significant differences between the aggregate responses of the following groups to each item in the questionnaire:- attorneys vs clerks, black clerks vs white clerks, male clerks vs female clerks. These analyses showed that respondents' perceptions of the problems were related to the biographical variables of professional/ hierarchical status, race and gender.

Regarding status, clerks' perceptions of the problems differed significantly at the ,05 level from those of attorneyes on 13 out of 46 questionnaire items. Regarding race, the perceptions of white and black clerks were statistically different at the ,05 level on 11 questionnaire items. Female clerks' perceptions differed significantly at the ,05 level from male clerks on 15 of the items.

Although the intention of the study was not the development of a validated attitude measurement scale, item analyses were carried out to determine the internal reliability of the constructs into which the items included in the questionnaire were assumed to fit. The item analyses followed by calculation of Cronbach Alpha coefficients yielded Alpha coefficients of ,70 or more in the case of five out of 14 constructs. Deletion of items due to low intercorrelations with other items assumed to be part of the same constructs improved the Alpha coefficients in the case of another two of the constructs.

One way analyses of variance on the responses of different groups i.e. attorneys vs clerks, white clerks vs black clerks and female clerks vs male clerks in terms of the constructs now obtained were carried out subsequent to the item analyses. Attorneys were found to differ significantly from clerks on three entrant and two female constructs. Black and white clerks' perceptions were significantly different on four out of 14 of the constructs. Female and male clerks also differed in their views on four of the constructs.

The methodological shortcomings of the study include the use of a non-validated instrument, a sample of convenience and a relatively low response rate. The contributions of the study can be seen as (1) the identification of entrant as well as race and gender-related problems in a context where they have not previously been empirically determined. (2) statistical proof that perceptions of these types of problems are related to the biographical variables of professional/hierarchical status, race and gender.

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CHAPTER 1

The Problem and its Setting

An area in career psychology which has received much attention has been the process of socialising or assimilating new employees into unfamiliar organisational settings. Work by Schein (1978) has shown that, as a process, socialisation involves the movement of newcomers across two types of organisational "boundaries". Firstly, it involves movement across explicit and visible functional boundaries which are passed by new employees on the strength of new skills and competence. Formal processes, like training, ensure the crossing of these boundaries.

Secondly, socialisation involves movement across inclusion boundaries as newcomers accept and are accepted by existing members of the organisation. According to Schein (1978), the crossing of these boundaries requires adoption by newcomers of the beliefs, values and attitudes of the organisation. Whether this occurs, says Schein, is not only a function of the efficacy of an organisation's formal human resource processes, but also relies on less tangible factors in both the individual and the organisation.

Important determining factors in the individual are his or her personality, attitudes, "political" insights and perspectives. Deciding factors in the organisation include, among others, the nature of work provided, the quality of supervision and coaching, the socialisation strategy employed and the existence of peer group support (Schein, 1978).

Further research into the socialisation process has shown that it consists of a number of phases. Different authors (Buchanan, 1974; Charoux, 1976; Feldman, 1976; Wanous, 1977) have given these phases different labels. Nevertheless, there is general agreement among them that while the phases overlap and cannot be sharply delineated, at least three exist.

Firstly, there is a pre-arrival or anticipatory stage which begins before the individual joins the organisation. During this phase individuals gain an impression of the organisation in anticipation of their entry into it. The next phase is breaking-in or encounter which covers the initial period following the newcomer's entry into the organisation. It is the period when the new employee and the organisation get a more realistic picture of each other. Finally, in the settling-in or mutual acceptance phase, the individual and organisation strive to reach an accommodation with each other. Each phase is characterised by a number of central activities, tasks and psychological issues. The way issues at one stage are handled and resolved impacts on following phases.

In the pre-arrival stage the primary issue is that of mutual expectations. That is, the degree to which the newcomer's and the organisation's expectations are realistic and the degree to which they match (Kotter, 1973). During the breaking-in phase, learning to adapt to the organisation is the primary concern.

According to Schein (1978), this involves learning to accept the reality of the human organisation, learning to work and learning how to get ahead. The focus of the final phase, says Schein (1978), is an exchange of signals by both the newcomer and the organisation which indicate a mutual acceptance and the end of the socialisation process.

Research, summarised by Louis (1980), shows that the crossing of organisational boundaries and the achievement of mutual acceptance is often problematic. During socialisation, says Louis, a number of problems typically arise which affect the entry and adjustment of newcomers into organisations. If poorly managed, these problems can lead to employee dissatisfaction, under-utilisation of resources and to turnover (Feldman, 1976; Kotter, 1973; Webber, 1976). Conversely, effective management of the problems results in employees who have been transformed from total company outsiders to participating and effective corporate members (Feldman, 1986).

Studies which have dealt specifically with blacks and females into organisations suggest that socialisation poses additional problems for these entrants (Baldwin, 1980; Charoux, 1986; Fernandez, 1975; Howard & Hammond, 1985; Moss Kanter, 1977). Besides typical entrant problems, blacks and females face problems which are race and/or gender specific.

The latter problems stem, in the opinion of these authors, from differences which exist between white males and blacks/females in organisations. Their research indicates that these differences are in educational background, "culture", power, numbers, capability, attitude and self image.

The socialisation of blacks and females into the professions and managerial ranks of organisations has particular significance in the South African situation. Given the severe skilled manpower shortage (Human & Hofmeyr, 1985; Watts, 1985), it is a matter of economic necessity. In the case of blacks failure to achieve entry, at other than the lower occupational levels, also has political implications. It represents a continuation in the work environment of the white domination prevailing at the broader socio-political level (Charoux, 1986).

Recognition of the importance of ensuring the socialisation of blacks and females into the higher levels of South African organisations is not, unfortunately, sufficient to make it happen. Many obstacles exist, and these must be identified and addressed in specific situations to be overcome.

The intention of this study is to determine the problems of effective socialisation in a specific context - namely, the legal profession in South Africa. A determination of problems which typically affect all entrants into the profession, and which specifically impact on blacks and females, will hopefully assist in finding and implementing solutions to overcome them.

Background to the Problem

To qualify as an attorney in South Africa, all entrants to the profession must undergo a period of articles of clerkship. Recently, however, entrants have begun to criticise the process of articles and to demand changes to it. Simultaneously, the type of person entering the profession has changed. Traditionally the main source of attorneys in South Africa has been white male graduates. In recent years, however, fewer white males are being attracted to and are entering the profession.

As a result, white legal firms have recently begun recruiting small numbers of black and female graduates but have often reported problems in integrating these people into the profession. In response to these problems and the criticisms of the articles of clerkship process, a number of interested people and bodies established the Attorneys Training Project in 1987. According to the steering committee, the main purpose of the project is:

"To launch a project backed by attorneys' firms in and around Johannesburg who undertake to collaborate with each other and with other interested persons and bodies towards improving the facilities for the recruitment and training of entrants into the attorney's profession, particularly those from disadvantaged backgrounds."

The Attorneys Training Project began by commissioning an investigation into the perceptions of law students, articled clerks and practising attorneys of the quality of universities' and legal firms' theoretical and practical training. According to the chairman of the Attorneys Training Project, the investigation indicated that only white males were being successfully integrated into the white legal firms which dominate the profession. Females and blacks were in a minority, and in particular, few firms expressed willingness to take on black clerks. Firms generally preferred to recruit male clerks, and then only if they were white.

The investigation also highlighted a need for changes in the way entrants to the profession were educated, selected, trained and integrated into their firms. The conclusion was that if changes are not made, the profession will not be able to recruit enough people of calibre to meet its future needs.

Presently however, the profession is not able to develop strategies for change for two reasons.

Firstly, although the investigation highlighted areas of concern, it did not identify specific problems for entrants generally or for particular groups like blacks and females. Secondly, there is not consensus in the profession on what the most important problems are. It is submitted that different perceptions of what the problems are (between, for example, attorneys and articled clerks and blacks and whites in the profession) must first be identified and resolved before solutions can be found.

The Aim of the Present Study

The aim of this study is: to identify perceptions of problems pertaining to the effective training and integration of entrants into the legal profession during articles of clerkship in selected firms in the Johannesburg area.

From this overall aim, various sub-aims arise: Firstly, to determine whether certain socialisation problems which are experienced by entrants to organisations generally are also experienced by entrants into the South African legal profession. Secondly, to ascertain whether specific race-related problems exist. Thirdly, to determine whether specific gender-related problems exist.

The final aim of the study is to determine whether the factors of professional status, race, and gender affect perceptions of the problems experienced by articulated clerks.

The Delimitations

The study is concerned with current problems only and does not attempt to predict problems which may affect future entrants. The study also does not extend to an evaluation and implementation of solution(s) for the problems identified.

Also, the investigation is limited to only one aspect or stage of the total education, training and socialisation of entrants into the profession. The focus of the study is on problems arising when the entrant has been officially appointed and is undergoing some process of socialisation into the organisation. In the legal world this is once the person is serving articles of clerkship. Although it is realised that problems experienced before appointment as a clerk will influence what occurs during articles of clerkship, these earlier problems are not directly addressed by the study. Similarly, problems experienced once clerks have completed their articles are not dealt with.

A further delimitation relates to the choice of entrant, black and female problems for investigation by the present study. The problems chosen were mainly those perceived to be important by 16 clerks and 13 attorneys who participated in NGT group discussions of the problems. In addition some of the entrant, black and female problems identified by previous research were included in the study. All possible entrant, black and female problems identified by previous research were, however, not investigated. The possibility therefore exists that problems, not investigated by the study, may not only exist but may be more important than those investigated.

Yet another delimitation of the study is that the effects of the problems it identified were not investigated - that is, the study did not evaluate the psychological impact of the problems on the individuals concerned. Specifically, the study did not attempt to ascertain whether the individual's job satisfaction, personal adjustment and organisational commitment were affected by the problems experienced during the socialisation period. Similarly, measures of organisational outcomes like retention rates and productivity levels were not made.

Finally, it should be noted that the sample was one of convenience and that the results obtained are therefore valid only in respect of those who responded to the questionnaire. Thus, the results can not be generalised to non-professional people or to professional people in professions other than the legal profession. They can also not be considered necessarily valid for all articled clerks in South Africa. At most it can be assumed that the views expressed by the 145 people who participated in the study were representative of other articled clerks and attorneys in the firms participating in the study, and that they can be generalised to other firms in the Johannesburg area.

Importance of the Research Study

Identification of the problems preventing effective training and development of articled clerks is, it is submitted, the first step in developing a solution to them. As mentioned earlier, solutions have to be found and changes made, otherwise the profession will not be able to recruit enough people of calibre in the future.

The identification of problems experienced by black and female articulated clerks is particularly important because these groups are a growing part of the labour "pool". Also, at least in the opinion of the firms represented by the Attorneys Training Project, legal firms are at present having less success with the training and development of women and blacks than with white male entrants.

Identification of different perceptions of the problems, between attorneys and articulated clerks, blacks and whites and males and females is also important since this is another problem which will have to be addressed. It is obviously easier to solve a problem if all parties involved have the same perception of it. Conversely, knowing that different perceptions exist provides a starting point for assessing the true nature of the problems and gaining agreement on them.

Fourthly, the fact that this study seeks to determine the relative importance of typical entrant, race and gender problems is important. This is because it is not clear at present which of the problems are "core issues".

Finally, the study is important because of the paucity of local research which has been done in this area. As the review of the literature in the next chapter shows, there is a dearth of research into the process of socialising newcomers, and particularly blacks and females, into organisations in the South African context. Any research which increases our understanding of these issues in the South African context is important.

Structure of the Research Report

Chapter one briefly introduces the problem investigated by this study. The specific aims of the study are then outlined. Finally, the importance of the study both in promoting the effective development and integration of articled clerks and its importance in the broader South African situation are given.

Chapter two deals firstly with research on the typical problems experienced by newcomers into organisations, irrespective of their background, then with specific problems of blacks and females.

Chapter three describes the methodology used to investigate the problems. Firstly, a questionnaire was developed after consultation with individuals with personal experience of the problems and a review of the research literature pertaining to typical entrant, race and gender-related problems in organisations. The questionnaire was then administered to a sample of clerks and attorneys from selected firms in the Johannesburg area. Respondents were black and white articled clerks and attorneys of both sexes. Finally, the responses were analysed using descriptive and inferential methods in an attempt to answer the research questions posed by the study. Chapter four gives details of the findings on the research questions the study attempts to answer.

Chapter five discusses the findings in more detail with reference to the theoretical background. It draws conclusions about both the contributions made by the study and its shortcomings and makes some recommendations for further research.

CHAPTER TWO

Typical Entrant, Black and Female Problems

This chapter reviews the literature relevant to the present study - from the field of career psychology and from studies on blacks and females in organisations. Research pertaining to typical problems experienced by newcomers entering organisations, irrespective of their race or gender will be dealt with first. Research relating to specific problems experienced by blacks and females in organisations will then be considered. Finally, the relationship between the present study and other research will be outlined.

Typical Entrant Problems

Research studies pertaining to typical entrant problems during socialisation are relevant to the present study since one of its aims is to determine whether entrants to the legal profession experience problems which typically are experienced by entrants into organisations. In reporting the research findings, a framework of individual, organisational and extra-organisational problems will be used.

Individual Problems

Typical individual problems, reported in the literature, relate to young graduates' capabilities, behaviour and attitudes as they enter the world of work. The first set of problems are associated with role competence. Research by Stroh (1971) has shown that graduates frequently experience difficulty in adapting to the longer time horizons and delayed gratification associated with the transition from university to the business world. Webber (1976) reports an inability by graduates to effectively apply the theory they have learned to practical work problems.

Finally, the research of Dalton, Thompson and Price (1977) highlights at least two adjustment problems experienced by young professionals entering organisations. The first of these is learning to accept initial routine assignments while simultaneously showing initiative. The second problem relates to adjusting to the dependence inherent in the role of subordinate - that is, learning to accept an apprentice role while working under the guidance of more experienced employees.

Allied to the above problems are other shortcomings which, research indicates, negatively affect graduates' role competence. Moore, Miller and Fossum (1974) report the problem of unrealistically high expectations among young professionals. Similarly Livingston (1971) criticises young graduates for their insensitivity to the political aspects of organisations resulting, he says, in an inability by them to achieve results through the organisation's informal channels.

Finally, Moment and Fisher (1973), suggest that a lack of autonomy or personal passivity is a problem typically evidenced by young graduates. Katz (1982) conceptualises this as a failure to shift the "locus of control" from the situation to the individual. According to Katz, information and knowledge from former settings is often insufficient or inappropriate for understanding or functioning in a new organisational domain. This continues as a problem for the entrant unless he or she begins to rely on his or her own perceptions and capabilities and operates more self sufficiently - that is, learns to work under conditions of less "situational" and more "individual" control.

Besides problems associated with role competence, there are problems related to achieving an individual-organisation "fit". According to Sathe (1985), an individual's fit with the organisation can be seen as occurring along two dimensions. It is evidenced firstly in the extent to which the individual conforms with cultural norms or standards of expected behaviour and dress and secondly in the extent to which the individual holds the beliefs and values of the organisation and has internalised them. In practical terms, Louis (1980) refers to the achievement of an individual-organisation 'fit' as learning "how to do things and what matters around here" (p. 232).

According to Schein (1978), learning the behavioural requirements of an organisation and conforming to these requirements is another typical problem experienced. The cause of this problem, says Schein, is the ambivalent attitudes of graduates towards commitment to the organisation on the one hand and maintaining a sense of independence on the other. This ambivalence, his research shows, is typically expressed by the individual either through a rejection of all organisational values and norms or conversely through an over acceptance of them.

Organisational Problems

Besides problems attributable to the entrant there are problems, highlighted by research, which have been assigned to the organisation. The first set of problems relates to typical organisational recruitment practices and their failure to describe the organisation and the job in factual rather than idealised terms. Research by Wanous (1977) indicates that this failure leads to inflated expectations on the part of the recruit and, if these expectations are not met, to the possibility, ultimately, of turnover.

Allied to this is a failure by organisations to define their expectations of new recruits before their appointment. This failure, Kotter's research (1973) has shown, often leads to a "mismatch" between the newcomer and the organisation which shows a measurable relationship to productivity, satisfaction and turnover.

The second set of problems relates to the nature of assignments given to new recruits. Typically the work assigned lacks challenge and responsibility (Hall & Lawler, 1969).

A lack of quality coaching and psychological support provided by supervisors is a third problem typically experienced by entrants. A number of studies reported by Hall (1971) have shown that supervisors who provide what Hall and Schneider (1969) term "supportive autonomy" produce the best results. Typically, however, entrants report excessive control by their supervisors, or insufficient guidance and support in their early career.

A related problem is the lack of regular feedback to employees on performance during this early stage. Research by Feldman (1976), Kotter (1973) and Webber (1976) shows that a lack of valid information on performance, attitudes and the individual's success in fitting into the organisation leads to lowered motivation and performance.

A fifth problem is the employee's peer group. Failure by this group to provide a source of informal learning or to function as an emotional support can be strongly dysfunctional for organisational socialisation (Becker, Geer & Strauss, 1969; Hall, 1969).

Another problem, highlighted by research, is the induction or socialisation strategy used by the organisation. Van Manen (1978) undertook a structural analysis of various socialisation strategies, tracing the effects of each from recruits' responses. According to this author, the strategies employed and their management in practice, contributed to the outcome of the socialisation process.

A final problem relates to stereotypical views the organisation often has that new recruits are too theoretical, ignorant of politics, over ambitious and unassertive. Failure by organisations to challenge these stereotypes leads to the stereotypes becoming a negative self-fulfilling prophecy (Webber, 1976).

Extra-Organisational Problems

Finally, problems outside the organisation can impact on the efficacy of the socialisation process. Research by Schein (1978) and Feldman (1976) has highlighted a number of potential conflicts between work and home life which, if unresolved, may result in the entrant leaving the organisation or withdrawing from it emotionally. The most obvious problem here is conflicting home and work schedules because of the number of hours worked, when they are scheduled, vacation times, days off and so on. The amount of worry and preoccupation associated with work and demands on the family for emotional support can also constitute problems (Feldman, 1976).

Typical Black and Female Problems

In this section, research pertaining to the typical problems experienced by blacks and females in organisations are reviewed. This research is relevant to the study since one of its aims is to identify race and gender-related problems experienced by blacks and females in the legal profession.

Obviously, no single problem exists in isolation. It both affects and is affected by other problems possibly leading to interaction effects. For clarity however, each problem is examined separately. In reporting the research findings, a framework of individual, organisational and extra-organisational problems is used.

Individual Problems

Typical individual problems, which impact negatively on blacks and females in organisations, relate to their capability, behaviour and attitudes relative to white males in organisations.

The first typical problem reported in the literature is the inability of blacks and females, relative to white males, to optimally use their strengths or resources. Research by Howard & Hammond (1985) on blacks in America led them to conclude that this problem is not the result of a lack of inherent capability in blacks. Rather, it is a behavioural problem caused by a tendency on the part of blacks to avoid competing intellectually with white males. The authors believe this tendency is a psychological phenomenon which has arisen from an image in society that blacks are inferior. Blacks have internalised this image over time so that many now perform according to it.

Blacks' negative self image first tends to generate failure, suggest Howard & Hammond (1985), because it leads to a reduction in effort and hence poor performance. The individual, having expected to do badly, blames the failure on a lack of ability rather than on the actual and correctable problem of inadequate effort.

This misattribution, in turn, becomes the basis for a new negative expectancy. Over time the individual internalises the low estimation originally held by others. He or she becomes ensnared in a continuous, self-fulfilling cycle of negative expectations leading to an unwillingness to compete and failure to perform.

Studies on women in business have shown that, like blacks, they fail to exploit their own strengths (Gallese, 1987; Horner, 1982 and Knell, 1981). The reasons for this are however, not the same as for blacks. Women, according to these authors, place restrictions on their own abilities not from fear of failure but from fear of success. They avoid success to avoid conflict with society's view of them as women in a female role.

There are, besides the problem of a negative self image, other problems which have been attributed to blacks in organisations. Research by Fernandez (1975) suggests the following three problems exist. Firstly, a lack of entrepreneurial attitude or ethic. Secondly, a lack of characteristics such as ambition, initiative and dependability. Thirdly, failure to 'fit in' to the organisation in terms of style of dress, speech, personal mannerisms and social mores. According to Fernandez (1975), all three of these problems stem from the differences perceived to exist between black and white culture.

That a black-white cultural gap exists has been supported by a number of studies in South Africa. Coldwell & Moerdyk (1981), for example, assert that the black culture has a more eastern than western paradigm in relation to issues like causality and time.

Tabane (1979), referring to McClelland's work, proposes a greater affiliative orientation or group mindedness among blacks compared with their white counterparts. Finally, Godsell (1983) has emphasised that sharing or "ubuntu" and being part of a community are far more important values among blacks than among whites in South African organisations.

To what extent these cultural differences account for the three problems indicated by Fernandez (1975) remains questionable. Human and Hofmeyr (1985) argue that the cultural argument must at least be qualified by the complex web of factors which affect black people in South Africa in ways other than cultural.

Whether or not cultural differences have been over-emphasised, the perception that they exist nevertheless has clear implications for blacks. Even blacks who are individualistic or risk takers will be perceived as coming from a black culture and therefore unable to fit in and be effective (Human & Hofmeyr, 1985).

In terms of fit or inclusion in what Schein (1978) terms the "inner circle", research supports the view that inclusion is easier for white women. In the USA, according to Jones (1986), this is a function of "comfort level" since white men view white women as generally more from their own social class than black people.

In South Africa also, white females apparently experience less difficulty fitting into white male-dominated organisations. The reason given is that their norms and values are similar to white male South Africans and different from so-called "black" culture (Charoux, 1986).

Cultural differences per se are not seen as a female problem, but the view that women are different from men is. Studies on differences between men and women in organisations have both supported the view that differences exist (Hening & Jardim, 1979; Knell, 1981) and that they are similar (Lillicrap, 1987).

Despite these conflicting findings, says Human (in press), virtually exclusive sets of character traits have been assigned to men and women. Traits like ambition, competence, assertiveness, objectivity, decisiveness and rationality have come to be regarded as "male", whereas women are generally regarded as irrational, emotional, passive and unambitious. For women, being branded with these traits is a problem because these traits are typically less valued in organisations than those of males (Human, in press; Pillay, 1985).

Allied to problems associated with female or black traits, are those pertaining to the marginal position of blacks and females in organisations. The concept of marginality was used by Ziller, Stark & Pruden (1969) to refer to "a person who stands on the boundary between two or more groups, does not belong to any of them, or at least is not certain of his or her belongingness" (p. 488).

The intermediate position occupied by the marginal person results, it has been suggested, in a high degree of role conflict and ambiguity (Human, 1981a, 1981b; Wella, 1983) which in turn leads to various other problems. Specifically, as research by Human (1981a, 1981b), Piron, Human & Rajah (1983) and Van Sell, Brief & Schuler (1983) has shown, problems of dissatisfaction, distrust, tension, lack of loyalty, turnover, absenteeism, low performance, anxiety, stress and psychological withdrawal from the work group can arise.

According to Human (1984), marginality is a particular problem in South Africa for higher-level black employees. In their own community, blacks with high levels of education are highly valued. At work in white organisations, however, blacks have low status because of racial categorisation.

Both at work and home, the marginal black person faces conflicts. At work, the black employee typically occupies a "specialist" position with no whites reporting to him or her, or is placed in a job with an impressive title and salary but little responsibility or decision-making power (Wella, 1983). Exclusion from informal white networks, discomfort with white social mores and lack of cooperation from white secretarial and administrative staff may also pose problems (Human, 1981a, 1981b).

Irrespective of the work situation, the black employee faces the realities of being black in an apartheid society. He or she is thrown back onto second-class citizenship along with his or her black subordinates (Piron et al, 1983).

While individuals may vary in the level of stress they experience in this situation it is highly unlikely, reports Human (1984), that they will be wholly unaffected by their marginality.

According to Bingham (1986) female South African professionals and manager's, like blacks, experience problems associated with marginality. In her opinion, their marginality stems from a simultaneous embracing of home and work roles. On the one hand, suggests Bingham, the entrenched ideas of South African society place demands on women to fullfil the 'expected' role of wife and mother. Simultaneously, individual aspirations lead women to compete in the male-dominated business world. This role conflict often leads to stress, she says.

Organisational problems

Formal and informal structures within the organisation have also been shown by research to pose problems for blacks and females. Organisational problems outlined below are those of limited numbers, limited power and discrimination.

The first set of problems stems from blacks' and females' proportional representation or paucity in number relative to white males at the professional and managerial level in organisations. At least in the USA, the limited number of blacks in the legal profession has been well documented. According to Margolick (1985), blacks and hispanic people make up 23 % of the population but represent less than 10 % of the USA's law students, only six percent of its lawyers and just over five percent of its law professors.

This already low number is in fact steadily declining as research by Smith (1984) shows. While just under three percent of attorneys at the 100 largest law firms in the USA were black in 1982, this figure had dropped by 50 % in 1984, says Smith.

Jones (1986) reports a similar lack of progress outside the legal profession in the USA. A survey of Fortune "1000" companies, reported by Jones, showed that of 1,362 senior executives, only four were black, six Asian, three Hispanics, and 29 women. In South Africa, also, research indicates that six percent of the population (white males) occupy 98,2 % of all management positions (Human, in press).

According to Moss Kanter (1977) it is the rarity and scarcity of blacks and females in specific occupations, rather than their femaleness and blackness per se, which presents specific problems. The higher the ratio of whites and/or males to blacks and/or females, she says, the greater are the problems experienced. Ratios of 85:15 or more are particularly problematic since this situation leads to blacks and/or females assuming what she calls a "token" position relative to others in the organisation. As "tokens", claims Moss-Kanter, women and/or blacks experience certain problems, as follows.

Firstly, tokens are more visible than others in the organisation which places them under greater performance pressure, especially if they feel that to succeed they have to be better than dominant members (Fernandez, 1985; Fraker, 1984).

Competition among tokens for the few "token" positions they believe to be open to them heightens the pressure on them to perform (Jones, 1986).

As a result of their limited numbers they also feel more isolated. In her research, Moss-Kanter (1977) found that dominants erected boundaries around themselves which either excluded tokens or only gave them admittance if they proved their loyalty. The result of this, she says, is that tokens often do not feel fully accepted and feel excluded from an informal support network which dominants take for granted (Jones, 1983; Human & Hofmeyr, 1985). Feelings of isolation are exacerbated, suggests Jones (1973), by dominants' tendency to call upon tokens to present "the" black or female view.

Other problems also arise from tokens' isolated position. Firstly, there is the problem of a lack of role models with whom to identify since there are typically even fewer tokens higher up in the organisation than at the lower levels (Cooper & Davidson, 1982; Smith, 1984; Thomas, 1987). Similarly tokens are cut off from same-gender or same-race mentors (Kram, 1985).

The problem of isolation may, research suggests, be experienced particularly strongly by upwardly mobile black South Africans. A study of black managers by Human (1982) showed that black and white managers in South Africa differ in several ways. According to Human, black managers have a greater need relative to whites for adequate and meaningful relationships in the work situation, a greater need for feedback and access to superiors, a greater need for support, appreciation and encouragement and a greater need to "know where they stand".

The last set of problems experienced by tokens are generalisations or stereotypes of them as a group. That blacks and females are perceived as having certain race and gender-specific traits was mentioned earlier in this chapter. The effect on tokens of these stereotypes, says Moss-Kanter (1977), is their encapsulation in limited and caricatured roles. While these roles give tokens the security of a "place" they constrain their area of permissible or rewarded action.

Closely associated with the above problem is the relative lack of power/control experienced by blacks and females in organisations. According to Baldwin (1980), power in an organisation lies with those who define the organisation's social reality. More specifically, the powerful control what is legitimate and credible in an organisation. They also control the formal process of social reinforcement in an organisation because they define the standards of acceptable performance and decide when the required performance level has been achieved.

To compete in this environment, says Baldwin (1980), those with less power have to suspend their own social reality or alter their natural style of consciousness to fit that of the powerful. In doing so, the less powerful become "misoriented" in the sense their own perceptions become distorted to better fit the perceptions of those in control. The degree to which they become misoriented, from almost totally misoriented to minimally misoriented, affects both their psychological adjustment and capacity to perform (Baldwin, 1980).

The last set of organisational problems reported in the literature are those of racial and sexual discrimination. According to Bowser and Hunt (1981) these problems are manifest on the individual, the institutional (structural) and the cultural levels. Discrimination in the first two levels will be dealt with here.

At the individual level, discrimination can appear as overt bigotry and hatred. More common, however, are the more subtle, covert and indirect forms of discrimination known as neoracism and neosexism (Blauner, 1972). As forms of discrimination, says Blauner, they essentially involve treating people differently or in a certain way because of their group membership.

Discrimination at the institutional level stems, on the other hand, from the racist and sexist structure of social institutions (Blauner, 1972). It pertains to the existence within institutions of exclusionary regulations and conventions like patronage, nepotism and inheritance which exclude blacks from the "inner circle" described earlier in this chapter. These, it is argued by Fernandez (1975), have developed insidiously over time through those in power pursuing their own interests. As discriminatory mechanisms, they are so powerful, says Blauner, that "there is little need for (individual) prejudice as a motivating force" (p. 8).

Research support for racial discrimination is found both in the USA and South Africa. Based on interviews with hundreds of black managers in the USA, Dickens and Dickens (1982) showed discrimination to be a frequent problem for these people.

According to these authors, black managers in their sample shared common feelings of frustration, dissatisfaction and rage in response to the discrimination which they experienced. A survey of blacks in the legal profession in the USA, reported by Luney (1984), similarly showed racial discrimination as one of the greatest problems experienced by them. Garland (1984) specifically found institutional racism to be a problem for black lawyers because of the reliance in the profession on patronage and the right family/school ties.

Support for the existence of racial attitudes in the South African workplace comes from several sources. According to Mercer (1986) both overt and covert discrimination is evidenced. In his view overt/premeditated discrimination, malicious compliance, ignorance and institutional discrimination of the type described by Blauner (1982) all exist. A number of other personnel professionals quoted in the June 1986 edition of the IPM Journal support Mercer's view (Khoza, 1986; Pascoe, 1986; Pruett, 1986).

A study by Human and Icely (1987) on attitudes of white workers in two companies provides empirical support for these views. This study found that generally negative attitudes to black upward mobility existed among white workers, although these centred more on the efficacy and practicality of black upward mobility than the need for it per se. Findings from the study also showed the influence on white attitudes of a number of demographic variables. Specifically it was found that the higher the educational qualification and income of the white person, the more tolerant and positive the attitude to "black advancement".

Similarly, English speakers were found to have less negative attitudes than Afrikaans speakers. Males also had more favourable attitudes than females.

The existence of sexual discrimination, defined by Brown (1977) as "the less favourable treatment in a given employment of women than men of no greater capability" (p. 145), has also been supported by research. Statistics from the USA and South Africa indicate, firstly, that the jobs that women occupy and the wages they receive are often inferior to those of men (Human, in press). Female stereotyping and other forms of covert discrimination have also been found (Dahl & Hooks, 1984; Gallese, 1985; Johnson, 1987).

Comparisons between women and blacks on this issue, however, suggest that discrimination may be less of a problem for women than blacks. Fisher's (1985) finding that in the USA blacks actually lost ground relative to women between 1976 and 1984 is supporting evidence for this. Dahl and Hooks (1984) similarly propose that while for blacks in the USA gaining admittance to entry level jobs in the professions and management is the current primary issue, this is seemingly not the case for women. According to these authors, securing a position and coping with "learning-the-ropes" type of socialisation problems was a problem for women in the 1960's and 1970's. In the 1980's, the focus has shifted to the difficulties experienced by American women entering the upper echelons of management.

Recent studies by Human, L and Allie (1988); Human & Hofmeyr (1987) and Human, P (1988) of white male managers' attitudes in South Africa to black and female upward mobility produced some interesting comparative findings. These studies showed that while 81 % of respondents felt their companies were fully committed to developing and advancing blacks, only 35 % said this was true for women. Although a large number of male managers were doubtful of the ability of both women and blacks to perform competently in management, they were marginally less doubtful of female than black capabilities.

Extra-organisational problems

Finally, problems outside the organisation have been shown by research to impact negatively on blacks and females in the workplace. These problems include inferior education, poor socio-economic background, home pressures and societal white/male superiority.

Regarding the first problem research supports this as essentially a "black" problem, since white women both in the USA and South Africa have the same educational benefits as males, (Hofmeyr & Moulder, 1987; Howard & Hammond, 1985). In America, reports Fernandez (1975), the relatively poorer quality of blacks' educational qualifications places many of them at a disadvantage. Specifically, gaining entrance to an organisation and functioning competently within it are problems which have been found to stem from an inferior educational system (Luney, 1984; McRae, 1974; Pitre, 1975; Satterfield, 1984).

In South Africa, the segregated school system and disparity of government spending on education on the various population groups ensures that blacks receive an inferior education (Charoux, 1986; Watts, 1985 and Wella, 1983).

This obviously places blacks in a poor position within the job market. Hofmeyr (1983) reports typical problems experienced by blacks as a result of the education they receive as follows: difficulty in assimilating facts, poor proficiency in English, difficulty in verbalising thoughts and ideas, dislike of criticism, reluctance to ask questions and a tendency to give answers which the questioner would like. Similar problems were found by Potter (1978) in a study dealing with the effects of an inferior education on black clerks in the accounting profession.

Allied to the problem of inferior education is the generally poorer socio-economic background of blacks. The effects of poverty and deprivation on performance at school and subsequent career development is general knowledge. In the South African context, Human and Hofmeyr (1985) include poor housing, overcrowding, lack of health facilities, inadequate childcare and a stark environment among the problems typically experienced. In their view these disadvantages in upbringing ensure "inordinately better opportunities for white advancement vis-a-vis that of Blacks" (Human & Hofmeyr, 1985, p. 10).

Pressures in the home environment have also been cited as barriers to black and female upward mobility. Problems experienced by working women who have to simultaneously cope with demands at work and home have already been mentioned in this chapter. Particularly relevant regarding pressures experienced by blacks, is a study on black managers outside the workplace by Piron et al (1983). This study showed that higher level black employees were in an almost impossible position in the current South African socio-political situation. Specifically it was found that those on whom the higher-level black employee was dependent for friendship and leisure were as likely to see him or her as someone who had "sold out" to whites and abandoned the cause of black people, as someone who had "made it" despite oppression.

The final extra-organisation problem is that of societal male/white superiority or, in Bowser and Hunt's (1981) terms, discrimination at the cultural level. According to these authors, this form of discrimination is based on a tacit assumption by society that the way things are done in white-male dominated organisations is "right" and "best". By implication women and blacks should fit into the white male way of doing things since a different way would not achieve the same or better results.

As a form of discrimination, suggest Bowser and Hunt (1981) "cultural" superiority has its roots in upbringing. Since it is so deeply entrenched in society it is, in their view, harder to eradicate than either individual or institutional discrimination.

Differences in Perceptions of Problems

Research studies pertaining to different perceptions of entrant, black and female problems are relevant to the present study since one of its aims is to determine whether factors of status, race and gender affect perceptions of the problems.

Regarding perceptions of entrant problems, no studies were found in the literature which dealt directly with differences in perception between entrants and more senior/higher status employees. A number of studies, however, emphasised that new entrants' needs and values were different from those of organisations they were entering (Hall, 1971; Kotter, 1973; Webber, 1976).

Regarding black problems, two studies were found which showed that blacks and whites differed in their views of black problems. Firstly, research by Fernandez (1975) on reasons for the limited number of black managers in the USA showed that while whites attributed the lack of black managers primarily to a lack of necessary qualifications and "cultural differences", this was not the case for blacks. By far the most important reason for the lack of black managers, according to blacks in his study, was racial discrimination.

Similarly, van Greuning (1987) found that black accountants and white firms held very different perceptions of most of the problems experienced by black accountants in the South African accounting profession. While blacks and whites in his sample both felt that an inferior black education system was a problem for blacks, they differed on the other problems investigated.

Particularly, they differed on the problems of cultural differences (90 % of whites saw this as a problem and only 43 % of blacks), racism from peers (10 % of whites and 61 % of blacks), lack of honest performance evaluations (15 % of whites and 53 % of blacks) and lack of challenging audit assignments (61 % of blacks and 20 % of whites). While the number in the sample on which these percentages are based is not given by van Greuning (1987), his results nevertheless suggest a gap between black and white opinions.

Relationship between Present Study and other Research

Research pertaining to typical entrant, black and female problems has, as the review of literature earlier in this chapter shows, been carried out in a variety of organisational settings. The present study investigates all three of these problems in a context where they have not previously been empirically studied:- namely, the South African legal profession.

As a review of the literature also shows, previous studies have tended to focus either on typical entrant or on black/female problems.

What distinguishes the present study is that it combines an investigation of typical entrant and race/gender-related problems in one study. By investigating the relative importance of the three types of problems, the study attempts to distinguish between those articulated clerks' problems which are derived from their newcomer status per se and those linked specifically to the race and/or gender of the clerk.

In carrying out the study a logical framework of the problems was formulated (see Figure 1). As shown in Figure 1, entrants and blacks and females were conceptualised as experiencing problems from three different sources. Firstly, there were problems stemming from factors within entrants, blacks and females. Secondly, there were problems arising from factors within the organisations in which entrants, blacks and females worked. Finally there were extra-organisational problems emanating from factors in the broader socio-economic environment which potentially have a negative impact on entrants, blacks and females. Although the nature of the interplay between these problems is not presented in this framework, it is nevertheless suggested that certain negative outcomes can possibly arise if the problems are not resolved (see Figure 1).

In addition to an identification of the problems experienced by clerks in the legal profession, the present study investigated whether the variables of professional status, race and gender affected perceptions of the problems. Statistical methods of analysis were used to ascertain whether the relationships between the variables investigated and perceptions of the problems were statistically significant or not.

Figure 1Typical Entrant, Black and Female ProblemsExtra-organisationalEntrant Problems

Work-home conflict

Black/Female Problems

Inferior education

Poor socio-economic background

Home pressures

Societal white/male superiority

OrganisationalEntrant Problems

Recruitment practices

Nature of job assignments

Professional management

Peer group support

Socialisation strategies

Stereotypical views

Black/Female Problems

Limited numbers

Limited power

Discrimination

IndividualEntrant Problems

Role competence

Individual-organisation 'fit'

Black/Female Problems

Inability to capitalise on strengths

"Cultural" differences

Black and female traits

Marginality

POSSIBLE NEGATIVE OUTCOMES IF PROBLEMS NOT RESOLVED

Mismatch between individual and organisation, job satisfaction low, organisational commitment low, resignation, termination of employment, low productivity, maladjustment, lack of development.

CHAPTER THREE

Research Methodology

Since the study was essentially exploratory, specific hypotheses which could be tested were not formulated. Instead six research questions were developed. The six research questions were:

- . Firstly, do entrants to the legal profession in South Africa experience problems which typically are experienced by entrants into organisations.
- . Secondly, do typical race-related problems exist in the South African legal profession.
- . Thirdly, do typical gender-related problems exist in the South African legal profession.
- . Fourthly, is status a factor affecting perceptions of problems experienced by clerks in the legal profession.
- . Fifthly, is race a factor affecting perceptions of problems experienced by clerks in the legal profession.
- . Finally, is gender a factor affecting perceptions of problems experienced by clerks in the legal profession.

To answer the six questions a survey was made of the problems as they were perceived by both attorneys and clerks. Nominal group discussions were firstly held with people who were currently experiencing problems.

From the content of these discussions and a review of the relevant literature a questionnaire was then developed. The questionnaire was administered to a sample of clerks and attorneys from a selected number of firms in and around the Johannesburg area. Respondents' perceptions of the problems were then analysed, using descriptive and inferential methods, to answer the six research questions formulated at the start of the study.

The study had to consist of an initial survey of the problems experienced by articled clerks since no prior research had been done of the problems. A questionnaire was used to collect data on the problems, rather than more in-depth interviews, since the perceptions of a greater number of people could be obtained by that means.

It was felt that an initial survey of the problems would open up the area for further research. Having determined the problems, qualitative research could possibly be carried out on the psychological impact of the problems on those who were experiencing them. Another research possibility is an investigation of the possible relationship between the problems and organisational factors like retention rates and organisational commitment. Finally, if solutions appropriate to the problems were developed by members of the legal profession, research to determine the efficacy of the solutions could be carried out.

Nominal Group Discussions

Four nominal group discussions were held, each lasting about two hours. Each of the groups had 5 to 8 members. The groups were: black articulated clerks (group 1), black attorneys (group 2), white articulated clerks (group 3) and white attorneys (group 4). Separate groups of clerks, attorneys, blacks and whites participated in the sessions to encourage open discussion of the problems. The white articulated clerks group comprised equal numbers of male and female clerks. Two women in each case were included in the black articulated clerk group and white attorney group. The black attorney group, however, was exclusively male.

Members of Group 1 and Group 2 volunteered to participate in the discussion after a general invitation was extended to them by the Black Lawyers Association. Group 3 and Group 4 members also volunteered to participate in response to a request put forward to legal firms supporting the Attorneys Training project by the Project steering committee chairman.

Members of the groups were chosen on the basis of their having sufficient recent experience of the problems involved to make a meaningful contribution to the discussions. For the articulated clerks, this meant being currently articulated with a legal firm in the Johannesburg area and having served at least six months of clerkship. For attorneys, only those with current personal experience of the training and development of articulated clerks were included.

Each group discussion was conducted using The Nominal Group Technique (NGT) process outlined by Van de Ven and Delbecq (1971). First, a brief explanation was given by the researcher of the purpose of the meeting, the process to be followed and the importance of each member's contribution.

Group members were asked to write down, silently and independently, what they perceived as the problems experienced in the integration and development of articulated clerks in the legal profession. The question asked was general and did not refer specifically to issues of race or gender.

Each member's ideas were then recorded on a flipchart by means of going around the table and asking for one idea from one member at a time. Next, a short discussion was held on each idea on the flipchart; this was to clarify the meaning of each idea and the logic behind it as well as to record all opinions on it within the group.

The role of the researcher at this stage was a facilitative one - that is, to encourage participants to interact, to draw in quieter participants, to keep the discussion focused and not to become personally involved in the content of the discussion.

The final step was to determine the relative importance of each idea. This was done by having members individually attach weights to the ideas, and then to sum the individual weightings. The summated weightings were then rank ordered. The ideas are shown in rank order for each of the four groups in Tables 1-4.

Table 1Results of NGT Discussions - Group 1 (black articulated clerks)(N=8)

Ideas	Rank order
1 Cultural differences	1
2 Racial prejudice	2
3 Lack of variety of work	3
4 Attorneys too busy to train	4
5 'Black' degree inferior	5
6 Attorneys not approachable	6
7 Work is boring	7
8 Clients do not like black clerks	8
9 Not included socially - females and blacks	9
10 Secretaries intolerant of clerks	10
11 Attorneys do not give clear instructions	11

Table 2Results of NGT Discussions - Group 2 (black attorneys)(N=5)

Ideas	Rank order
1 Legal work limited in scope	1
2 No time to train	2
3 Clerks unreliable	3
4 Clerks lack initiative	4
5 Poor written and spoken English	5
6 Clients do not like black clerks	6
7 Discrimination in white firms	7
8 Education too theoretical	8
9 Females do not stay - no prospects	9

Table 3Results of NGT Discussions - Group 3 (white articulated clerks)(N=8)

Ideas	Rank order
1 No structure or direction in the training	1
2 Under-utilise clerks	2
3 Degrees too theoretical	3
4 Attorneys lack teaching skills	4.5
5 Poor clerk-attorney relationship	4.5
6 Stereotype females as no good	6
7 No feedback on performance	7
8 Legal work given is boring	8
9 Variety - not enough	9
10 Attorneys too busy	10.5
11 Sexual harrassment	10.5

Table 4Results of NGT Discussions - Group 4 (white attorneys)(N=8)

Ideas	Rank order
1 Cultural differences - blacks lack western business values	1
2 Perceived racial discrimination	2.5
3 Poor education - black	2.5
4 Lack of time to train	4
5 Community pressures on blacks	5
6 Deprived background - black	6.5
7 Poor communication skills - black	6.5
8 Unreliable clerks	8
9 Blacks not loyal - leave after articles	9
10 Secretaries treat blacks and females badly	10
11 Lawyers poor trainers	11,5
12 Clients do not want to deal with clerks	11,5

From these tables it appears that there was little consensus between the groups as to what the problems are. Also significant is the fact that so many race-related issues were raised during the discussion even though the NGT question asked did not relate to issues of race or gender.

In the case of the white attorney group it can be seen that eight out of 12 issues raised were race-related. The reason for this was not investigated but may be due to the group being constituted in response to a request by the Attorneys Training Project; the latter being primarily concerned with people entering the profession from a disadvantaged background.

Also of note is the fact that many of the problems mentioned by black clerks are race-related while those mentioned by black attorneys and white clerks are not. That black clerks are assumedly most affected by race-related problems is possibly a reason for the emphasis placed by them on these issues.

Regarding gender, very few gender-related issues were raised during the NGT discussions. The reason(s) for this can only be surmised but it is possible that the greater number of males participating in the NGT group discussion as well as a possible view that race rather than gender issues are of greater concern to the legal profession may account for this.

Development of the Questionnaire

The first step in the development of the questionnaire was the formulation of constructs from the ideas generated in the NGT group discussion. Each of the ideas generated by the four groups was used in this process. Ideas which were seen to be similar were collected together into problem types by the researcher. This was done by the researcher using the process of logic described below and the logic tested out on three work colleagues.

Firstly, those ideas which related specifically to the race of the clerk were collected together into a group of "black problems". Similarly, ideas which in the view of those participating in the NGT discussion related specifically to female clerks were gathered under the heading of "female problems". The remaining ideas appeared to apply to all clerks irrespective of background and were collected together under the heading of "entrant problems". In this way three broad problem categories were formed: entrant problems, black problems and female problems.

Ideas within each of the three categories were organised further by collecting similar ideas into problem types and ascribing a label and definition to each problem type. For example in the entrant problem category the ideas of "clerks unreliable" and "clerks lack of initiative" were collected together into a single problem type labelled 'clerks themselves'. Similarly in the category of black problems, the ideas of "black degree inferior", "deprived background-black" and "community pressures on blacks" were organised into a problem type labelled 'external conditions'.

From the ideas generated in the NGT discussions six problem types were identified in the category of entrant problems - 'lack of professional management', 'poor job training', 'clerks themselves', 'work environment', 'support staff' and 'clients' unwillingness'. Three problems types related specifically to black clerks were included in the category of black problems - 'external conditions', 'discrimination' and 'social projection'. Finally a single problem type, labelled 'discrimination', was categorised as a female problem. The constructs derived from the NGT discussions, their definitions and their source are shown in Table 5.

Also shown in Table 5 are an additional four constructs - 'inherent capability' under the category of black problems and 'inherent capability', 'external conditions' and 'social projection' under the category of female problems. These additional constructs were derived not from the NGT discussions but from a review of the relevant literature on race and gender-related problems in organisations. These additional constructs were chosen by the researcher in an attempt to ascertain whether problems, other than those generated during the NGT discussions, existed in the legal profession. The construct of 'inherent capability' was chosen because the recent South African research by Human and Allie (1988) and Human and Hofmeyr (1987) relating to this issue seemed particularly relevant to the present study. The constructs of 'external conditions' and 'social projection' were included under the female category to provide a comparison of the existence of these problems between blacks and females in the study. The constructs derived from the literature and their definitions are also shown in Table 5.

Table 5Constructs and their Definitions

		NGT source	
Constructs	Definitions	Gp	Idea
Entrant Problems	Problems experienced by entrants to the legal profession which apply to all clerks irrespective of background.		
Lack of Professional management	Problems related to the lack of professional management	1	3,7,11
	of clerks by attorneys.	2	1
		3	2,7,8,9
Poor job training	Problems related to the nature of on-the-job training received by clerks during articles.	3	1,4
		4	4
Clerks themselves	Problems attributable to clerks themselves	2	3,4,8
	irrespective of what caused them to arise. They relate to the capability, behaviour and attitudes of clerks.	3	3
		4	8

Constructs	Definitions	NGT source	
		Gp	Idea
Work environment	Problems outside of the	1	1,6
	clerks but in the work	2	2
	environment. They relate to	3	5,10
	negative aspects of the	4	4
	organisation's culture which		
	impact on all entrants.		
Support staff	Problems related to the lack	1	10
	of support given to clerks		
	by the firm's secretarial		
	staff.		
Clients' unwillingness	Problems related to clients'	4	12
	unwillingness to deal with		
	articled clerks.		
<hr/>			
Black Problems	Problems related specifically		
	to the race of the clerk.		
Inherent capability	Problem of perceived inherent	-	
	lack of capability or of "not		
	having what it takes"		
	attributable to being black.		
External conditions	Problems related to the	1	5
	socio-political - economic	2	5
	situation which impact	4	3,5,6
	negatively on blacks.		

Constructs	Definitions	NGT source	
		Gp	Idea
Discrimination	Racial discrimination	1	2,8,9
	problems and those	2	6,7
	resulting from the marginal	4	2,10
	position of blacks in white legal firms.		
Social Projection	Problems relating to black	1	1
	clerks' perceived lack of	4	1,7,9
	capability, reliability, and		
	commitment to the firm. These problems relate to what black clerks "appear to be" rather than to what they "are", the latter being more a function of inherent capability.		
Female problems	Problems pertaining specifically to female articulated clerks.		
Inherent capability	Problem of a perceived inherent lack of capability or of "not having what it takes" attributable to being female.		

		NGT source	
Constructs	Definitions	Gp	Idea
<hr/>			
External conditions	Problems in the broader social context which impact negatively on females.		
Discrimination	Sexual discrimination	1	9
	problems and those resulting from females' marginal position in the firm.	2	9
		3	6,11
		4	10
Social projection	Problems relating to female clerks' perceived lack of capability, reliability, assertiveness and commitment to the firm. These problems relate to what female clerks "appear to be" rather than to what they "are", the latter being more a function of inherent capability.		

The next step in the development of the questionnaire was the preparation of items to fit each of the defined constructs.

The majority of items were derived from the content of the NGT discussions since the ideas generated during the discussions were statements of problems which were felt to be experienced by articulated clerks. As mentioned previously, the inclusion of only those people who had current or recent experience of the problems in the NGT discussion was an attempt to ensure that the questionnaire items derived from the constructs were relevant. That is, that they would be valid measures of the constructs involved. In this way, an attempt was made to obtain high content validity and increase the construct validity of the questionnaire.

The remainder of the items were derived from a review of the relevant literature. The literature reviewed in chapter two included research findings on problems experienced by entrants into organisations as well as problems experienced by blacks and females in organisations. Research findings of specific problems, in addition to problems identified during the NGT discussion, were used as a basis for developing the other questionnaire items.

In a further attempt to build construct and content validity into the questionnaire, a draft questionnaire was presented to a meeting of the Attorneys Training Project. Present at this meeting were attorneys and articulated clerks. Items which were felt to be unclear or subject to differing interpretations were reworked before inclusion in the final questionnaire.

The Questionnaire

The final questionnaire (see Appendix 1) comprised 46 items, each item expressing a problem thought to be experienced by articulated clerks. The first 15 items concerned typical problems possibly experienced by entrants to the profession; items 16 to 30 concerned race-related problems; the remaining 16 items concerned gender-related problems. Items in each of the three broad problem categories were assumed to fit into the constructs/problem types defined earlier in Table 5. The way in which specific items cluster into specific problem types is described in the next chapter.

Respondents to the questionnaire were asked to consider each problem statement with reference to what they saw as the situation in their firm, and to ignore exceptions to the general situation. They were also asked to view each problem statement from the perspective of the job they were currently doing; that is, from the point of view of an articulated clerk or an attorney. Requiring respondents to refer to the situation in their own firm would, it was hoped, encourage more realistic responses and avoid generalised or stereotypical views.

For each item six alternative responses were provided viz: 'strongly agree' (SA), 'agree' (A), 'uncertain' (U), 'disagree' (D), 'strongly disagree' (SD) and 'not applicable' (NA). Selection of either of the first two would, it was felt, indicate a perception that the particular problem stated did exist in the respondent's firm. Conversely, a 'disagree' or 'strongly disagree' response would mean that, the particular problem stated was not experienced in the respondent's firm.

An 'uncertain' alternative was provided since it was felt that respondents would on some of the items not be certain what the situation was in their firm. Similarly, a 'not applicable' alternative was provided for those items which were not applicable to the situation in a particular respondent's firm. For example where there were no black and/or female clerks and therefore the respondent could not comment on the race and/or gender-related problems in the firm.

Biographical data were collected, as part of the questionnaire, on the following variables: professional status, gender, race, nature of legal work performed by the firm, number of attorneys and clerks in the firm, educational qualifications of clerks and period of clerkship to date. The biographical data were gathered to determine in the data analysis whether the variables of status, race and gender were related to perceptions of the problems experienced during articles of clerkship.

A covering letter which gave details of the Attorneys Training Project, the purpose of the study and explained how the items in the questionnaire were developed was attached. (See Appendix 2).

The letter was signed by a member of the steering committee of the Attorneys Training Project. It was felt this would encourage a higher response rate than a questionnaire sent out independently by the researcher. The anonymity of the respondents was assured and a stamped, addressed envelope for the return of the completed questionnaire provided.

Administration of the Questionnaire

The sample drawn was one of convenience. That is, the assistance of interested persons and bodies who had supported the Attorneys Training Project was enlisted to encourage clerks and attorneys to respond. These included The Association of Law Societies, The Law Society of the Transvaal, Johannesburg Attorneys Association, The Black Lawyers Association - Legal Education Centre, the newly-formed Society of Articled Clerks, and members of the steering committee of the Attorneys Training Project.

With respect to attorneys, a published alphabetical list of practitioners in the Johannesburg area and their telephone numbers was obtained. This included sole practitioners and partnerships. A random selection of sole practitioners and big and small firms was made from this list (according to a method described by Moser & Kalton, 1972). Steering committee members of the Attorneys Training Project contacted by telephone the person in each firm responsible for articled clerks and encouraged the firm's participation in the study.

With respect to articled clerks, a list of registered clerks in the Johannesburg area by race and gender was obtained from the Association of Law Societies. The number of white clerks on this list far exceeded those of other race groups. The number of male clerks also exceeded female clerks especially among black clerks. Questionnaires were therefore sent to a random selection of the white clerks listed, but to all black articled clerks.

In both cases female as well as male clerks were sent questionnaires although the greater number of male clerks in the profession meant that fewer questionnaires were sent to female clerks.

The Sample

Of 415 questionnaires which were sent out; 145 usable questionnaires were returned. Tables 6 and 7 show the characteristics of the sample, in accordance with the biographical details collected through the questionnaire.

From these tables it can be seen that whites outnumbered blacks in the sample (73,7 % to 26,3 % of total sample) and males outnumbered females (66,9 % to 33,1 % of total sample). Regarding professional status, there were almost twice as many clerks as attorneys in the sample (62,8 % to 37,2 % of total sample).

Females made up 40,6 % of the clerks in the sample. The opinions of female clerks are, however, mainly those of white clerks since there were only four black female clerks in the sample. On the other hand, the sample of male clerks was divided equally between blacks and whites.

Most clerks in the sample had completed their degrees at the time of the study (85,7 % of total sample) but were at different stages in their period of clerkship. About half the clerks were in the first 12 months of clerkship; the remaining 49,5 % had completed 12 months or more of clerkship.

Regarding universities, more clerks had attended white than black universities (73,6 % to 26,4 %). Given the racial composition of the clerks in the sample, this suggests that a number of the black clerks had attended white universities and, at least at tertiary level, had not had an inferior education. Of the white clerks in the sample, far more had attended English-speaking than Afrikaans universities (70 % to 30 %).

Regarding attorneys, males outnumbered females (79,6 % to 20,4 %) in the sample. White attorneys also far outnumbered black attorneys (87 % to 13 %). Given the very small number of black attorneys in the sample, and in particular only one black female attorney, the views of attorneys in the study are mainly those of white males.

Since partners far outnumbered professional assistants in the sample (77,8 % to 22,2 %), the views of attorneys are mainly those of partners. This is a disappointing characteristic of the sample since professional assistants obviously have more recent experience of clerkship.

Table 6:

Composition of sample in terms of professional status, race and gender

Attorneys			Articled clerks		
	%	N		%	N
White: Male	68,5	37	White: Male	29,7	27
Female	18,5	10	Female	36,3	33
Black: Male	11,1	6	Black: Male	29,7	27
Female	1,9	1	Female	4,3	4
TOTAL	100,00	54		100,00	91

Table 7:

Composition of sample in terms of biographical variables

		%	N
Race	White	73,7	107
	Black	26,3	38
Sex	Male	66,9	97
	Female	33,1	48
Status	Attorney	37,2	54
	Clerk	62,8	91

		%	N
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Academic qualification of clerks	Degree completed	85,7	78
	Degree not completed	14,3	13
University attended by clerks	White University	73,6	67
	Black University	26,4	24
	English University	70,0	42
	Afrikaans University	30,0	18
Period of clerkship	Less than 12 months	50,5	46
	12 months or more	49,5	45
Number of clerks in firm	Sole clerk	16,5	15
	More than 1 clerk	83,5	76
<hr/>			
Professional status of lawyers	Partner	77,8	42
	Professional assistant	22,2	12
Type of practice	Sole practitioner	14,8	8
	Partnership	85,2	46
Size of legal firm	Less than 5 clerks	72,2	39
	5 clerks or more	27,8	15

Finally regarding legal firms, as can be seen from Table 7, both those comprising a single attorney and bigger firms/partnerships were included in the sample. The sole practitioners were mainly black attorneys. Firms employing fewer than five clerks outnumbered those with five or more (72,2 % to 27,8 %).

Regarding response rate, 145 usable questionnaires were returned, a 34,9 % response rate. Table 8 shows the response rate of each group which responded to the questionnaires.

As can be seen from the table, clerks showed a higher response rate than attorneys. The highest response rate was from white female clerks (49 %), and the lowest from black male attorneys (22 %).

The reasons for the 34,9 % response rate as well as the differences between groups in response rates was not investigated by the study.

Table 8:

Response Rate per Group

Attorneys			Articled clerks		
	%	N		%	N
White: Male	26,0	37	White: Male	37,5	27
Female	23,0	10	Female	49,0	33
Black: Male	22,0	6	Black: Male	35,0	27
Female	38,0	1	Female	32,0	4

Treatment of Data

Data Coding

Each response category was coded numerically as follows:

Not applicable/No response	9
Strongly disagree	1
Disagree	2
Uncertain	3
Agree	4
Strongly agree	5

The demographic data were coded in a similar way using sufficient codes to represent the data in the desired categories.

Statistical analysis of the data

The statistical analyses were carried out on the assumption that the data could be treated as interval data and that statistical techniques such as analysis of variance are therefore applicable. Basically equal intervals between points on the five point Likert-type scale were assumed. That is, the interval between 'strongly agree' and 'agree' was assumed to be the same as the interval between 'strongly disagree' and 'disagree' and so on across the scale. It is recognised that this is an assumption and that the one to five scale used in coding the data is not necessarily an interval scale. This assumption is however well recognised in social science research and seems to provide a useful method for determining trends in data of this type. (For a fuller discussion of this point see Kerlinger, 1986).

The statistical analysis was carried out using the 'Statistical Package for the Social Sciences' (SPSS) on The Prime computer at the University of Cape Town. The following statistical techniques on SPSS were used:

- * Frequency analysis: To provide the absolute frequency and relative frequency (percentage) of 'strongly disagree', 'disagree', 'uncertain', 'agree' and 'strongly agree' responses on items 1-46.
- * Means and standard deviations: For each of the items the mean score and standard deviation for each of the following groups were calculated - attorneys, clerks, black clerks, white clerks, male clerks and female clerks. The mean scores and standard deviation for each group indicated the average response of each group and the variation of responses within each group on each of the 46 items.
- * Analysis of variance. This was done to analyse trends relating to the demographic factors of status, race and gender for each question. F ratios were calculated to test for significant differences between the aggregate responses of the following groups to each item.

Attorneys vs clerks - professional/hierarchical status

Black clerks vs white clerks - race

Male clerks vs female clerks - gender

In all statistical tests of significance a 95 % confidence level was applied.

- * Item analyses. In Chapter 3 the questionnaire items were subjectively grouped together to form constructs. The item analysis was done to determine whether these groupings could be seen as true also in the statistical sense i.e. whether scores on items in a construct correlated highly with each other and with a total score derived from summing the scores of the relevant items.
- * Further Analyses of Variance. Following on the results of the item analysis, aggregate scores of different groups on the constructs in each of the three broad problem categories (entrant, black and female problems) were compared to search for differences in perception between groups. The groups whose scores were compared were:

Attorneys vs clerks - professional/hierarchical status

Black clerks vs white clerks - race

Male clerks vs female clerks - gender

CHAPTER FOUR

Results

In this chapter the methods of analysis used and the findings, as they relate to each of the research questions investigated by the study, are given.

Research Question One: Existence of Entrant Problems

The first research question was whether entrants to the legal profession experience problems which typically are experienced by entrants to organisations.

Types of entrant problem investigated by the study included a lack of professional management (questionnaire items 1, 2, 3, 4 and 7), poor job training (questionnaire items 5, 6, 9), clerks themselves (questionnaire items 11 and 12), work environment (questionnaire items 8, 10 and 13), support staff (questionnaire item 14) and clients' unwillingness (questionnaire item 15).

To determine whether these types of entrant problem were perceived to exist the frequency of 'agree' and 'strongly agree' responses were determined. As mentioned in chapter 3 selection of either of these responses by respondents would, it was felt, indicate a perception that the particular problem stated in the questionnaire item did exist in the respondent's firm.

Table 9 shows the frequency per questionnaire item of 'agree' and 'strongly agree' (combined) responses made by respondents. Also shown in Table 9 are the number of respondents who responded to each questionnaire item.

From Table 9 it appears that all six types of entrant problem investigated in the study are perceived to exist in the legal profession since either 'strongly agree' or 'agree' responses were made on all of the questionnaire items classified as entrant problems. The frequency of 'strongly agree'/'agree' responses however suggests that some problems were more often perceived by respondents to be problems to entrants than was the case with other hypothesized problems.

Poor job training was most frequently perceived to be a problem - 62,7 % felt that the training of clerks is not sufficiently structured, 58,0 % that clerks do not have a training plan to match their training needs and 55,2 % that clerks lack formal instruction in the procedures and techniques of legal practice.

Some aspects of professional management were perceived by a larger proportion of respondents to be a problem than other aspects. 58,6 % of respondents saw as a problem a lack of measurable performance standards while 51,1 % perceived insufficient feedback on performance as a problem. That attorneys lack coaching and training skills (37,2 %), clerks are not sure what is expected of them when they are given work (26,2 %) and that challenging and responsible work is not given to clerks (17,9 %) were also seen as problems but by a progressively smaller proportion of respondents.

Table 9
Frequency of Agree and Strongly Agree (Combined) Responses -
Entrant Problems

Problem	Questionnaire Item	Absolute Frequency	Relative Frequency (%)	N
Lack of	1	38	26,2	141
professional	2	85	58,6	140
management	3	74	51,1	144
	4	54	37,2	145
	7	26	17,9	144
Poor job training	5	84	58,0	131
	6	91	62,7	144
	9	80	55,2	144
Clerks themselves	11	42	28,9	142
	12	15	10,3	141
Work environment	8	13	9,0	144
	10	14	9,6	142
	13	22	15,1	144
Support staff	14	46	31,8	143
Client	15	21	14,5	141
unwillingness				

Regarding clerks themselves, 28,9 % felt clerks' unwillingness to do mundane work was a problem. Only 10,3 % felt that clerks do not show initiative.

The work environment problem most frequently perceived by respondents was an inability by clerks to approach attorneys with their problems (15,1 %). Less than 10 % of those who responded perceived either that clerks were not allowed to show initiative (9,0 %) or that how well a clerk 'fits in' in terms of dress and behaviour was more important than the quality of the clerk's work (9,6 %).

Prejudice within the firm by secretarial staff (31,8 %) was seen as a problem by a larger proportion of respondents than prejudice by clients (14,5 %).

Research Question Two: Existence of Race-Related Problems

The study also investigated whether race-related problems were perceived as existing in the legal profession. Types of race-related problem investigated included blacks perceived inherent lack of capability/"not having what it takes" (item 18), problems relating to South Africa's socio-political-economic environment which impact negatively on blacks (items 16, 17, 19, 20 and 22), racial discrimination (items 21, 23, 24, 26, 27 and 30) and black's perceived lack of capability, reliability and commitment relative to their white counterparts (items 25, 28 and 29).

Table 10

Frequency of Agree and Strongly Agree (Combined) Responses -
Race-Related Problems

Problem	Questionnaire Item	Absolute Frequency	Relative Frequency (%)	N
Inherent capability	18	15	10,4	79
External conditions	16	16	11,1	77
	17	25	17,3	97
	19	18	12,4	82
	20	48	33,1	83
	22	24	16,6	81
Discrimination	21	15	10,4	79
	23	11	7,6	83
	24	9	6,2	79
	26	4	2,8	77
	27	14	9,6	77
	30	8	5,5	80
Social projection	25	4	2,8	79
	28	17	11,8	77
	29	3	2,1	80

To determine whether the above problem types were perceived to exist, the number of 'strongly agree' and 'agree' responses to questionnaire items 15-30 were determined as shown in Table 10.

From Table 10 it appears that fewer respondents expressed an opinion regarding race-related problems than was the case with entrant problems. The number of respondents in the sample who responded to items dealing with race-related problems ranged from 77 to 97 while the number of respondents' expressing an opinion regarding entrant problem ranged from 131 to 145 respondents.

From the views which were given it appears that all four types of race-related problem are perceived to exist in the legal profession since either 'strongly agree' or 'agree' responses were made on all the questionnaire items relating to black problems. From the frequencies shown in Table 10 however it seems that black problems were seen by respondents to be less prevalent than entrant problems.

Pressures on black clerks to help their communities was the problem most frequently perceived by respondents and was the only problem which more than 30 % of respondents perceived to exist (33 % either 'agreed' or 'strongly agreed' that this was a problem).

Other factors in South Africa's socio-political-economic environment were also seen as problems but to a lesser extent.

That is, 17,3 % of respondents felt that black clerks lacked written and verbal skills, 16,6 % felt that black clerks are more successful when they deal with black clients, 12,4 % that the social and economic background of black clerks negatively affects their performance, and 11,1 % that black clerks who have attended black universities do not perform well.

Regarding social projection, only four respondents (2,8 %) perceived black clerks as less capable than white clerks and only three (2,1 %) viewed them as less reliable than their white counterparts. That black clerks will not choose to stay with the firm after articles was however seen by a larger proportion of respondents as a problem (11,8 %). An inherent lack of capability/"not having what it takes" was seen by 10,4 % of respondents as a problem.

The racial discrimination problem most frequently perceived by respondents was that secretarial staff do not treat black and white clerks equally - fifteen respondents (10,4 %) 'agreed' or 'strongly agreed' that this was a problem. That black clerks feel that they "do not belong" was seen as a problem by 14 respondents (9,6 %) and that attorneys discriminate against black clerks by 11 respondents (7,6 %).

Less than 10 respondents in each case felt that black clerks did not 'fit in' as well as whites in terms of their dress and behaviour, that they would not be invited to stay on as professional assistants or that blacks were excluded from social events.

Research Question Three: Existence of Gender-related Problems

Type of gender-related problem investigated by the study included females' perceived inherent lack of capability (item 31), problems outside of the firm (items 32 and 35), sexual discrimination (items 33, 34, 36, 37, 38, 40, 41, 43 and 46) and females' perceived lack of capability, commitment, assertiveness and reliability relative to their male counterparts (items 39, 42, 44 and 45).

Table 11 shows that all four types of gender-related problem investigated are perceived to exist in the legal profession since, once again, either 'strongly agree' or 'agree' responses were made on all the questionnaire items relating to female problems. With the exception of one problem, however, all gender-related problems investigated were perceived to exist by less than 20 % of respondents.

That secretarial staff do not treat male and female clerks equally was the problem most frequently perceived by respondents (22,8 %). Other sexual discrimination problems which were viewed by more than 10 % of respondents to exist were that female clerks have to be better than male clerks to be rated equally well (17,9 %), that attorneys discriminate against female clerks (14,4 %) and that the right way of doing things is the "male" way (11,8 %).

Thirteen respondents (9,0 %) felt that female clerks are sexually harrassed, nine (6,2 %) that female clerks feel that they do not belong, seven (4,8 %) that they will not be invited to stay on as professional assistants, six (4,2 %) that female clerks do not 'fit in' as well as male clerks in terms of dress and behaviour, and four (2,8 %) that they are excluded from social events.

Only 11 respondents (7,6 %) felt that female clerks do not "have what it takes" to be successful. Very few respondents felt that female clerks were less capable (eight respondents), less reliable (five respondents) or less likely to choose to stay with the firm after articles (five respondents) than their male counterparts. A greater number of respondents (20 respondents - 13,7 %) however perceived female clerks as less assertive than male clerks.

Table 11
Frequency of Agree and Strongly Agree (Combined) Responses -
Gender-Related Problems

Problem	Questionnaire Item	Absolute Frequency	Relative Frequency (%)	N
Inherent capability	31	11	7,6	122
External conditions	32	23	15,8	124
	35	23	15,8	119
Discrimination	33	33	22,8	118
	34	21	14,4	123
	36	13	9,0	125
	37	26	17,9	122
	38	6	4,2	123
	40	9	6,2	126
	41	4	2,8	122
	43	7	4,8	124
	46	17	11,8	121
Social projection	39	8	5,5	123
	42	5	3,4	122
	44	20	13,7	125
	45	5	3,4	125

Finally, Table 11 shows that 15,8 % of respondents perceived problems at home which negatively affect female clerks as a problem and that the same percentage (15,8 %) perceived that clients prefer to deal with male clerks.

Research Question Four: Relationship between Status and
Perceptions of the Problems

The fourth research question was whether the status of respondents affected their perceptions of the problems. To determine the relationship between status and perceptions of the problems, attorneys' responses to the 46 items were initially compared with those of articulated clerks since the status of the two groups differed both professionally and hierarchically.

For each of the 46 items the means and standard deviations of the responses of the two groups were calculated. The results are shown in Table 12. One way analyses of variance were then carried out to test for significant differences between the responses of the attorney and clerk groups to each item using the F statistic. The results of the one way analysis of variance are also shown in Table 12.

Table 12

Comparison of responses of Attorneys and Clerks on items in questionnaire

Questionnaire Items	Means		SD		F ratio(d.f.)	p>F
	C	A	C	A		
Instructions	2,66	2,44	1,09	1,00	1,33(139,1)	0,25
Perf. stds	3,37	3,19	1,38	1,15	0,69(138,1)	0,41
Feedback	3,24	2,89	1,35	1,24	2,48(142,1)	0,12
Training skills	2,80	2,48	1,33	1,16	2,17(143,1)	0,14
Training plan	3,57	3,39	1,18	1,17	0,77(129,1)	0,38
Structure	3,61	3,20	1,23	1,17	3,82(142,1)	0,05 *
Nature of work	2,30	1,93	1,17	1,01	3,84(142,1)	0,05 *
Initiative	1,94	1,72	0,99	0,83	1,89(142,1)	0,17
Poor instruct.	3,47	2,92	1,26	1,07	7,06(142,01)	0,01 **
"Fit" - clerks	2,11	1,63	1,19	0,68	7,44(140,1)	0,01 **
Routine work	2,58	2,69	1,20	1,13	0,27(140,1)	0,60
Lack initiative	2,10	2,13	0,99	0,95	0,02(139,1)	0,88
Att. unapproach	2,12	1,85	1,21	0,98	1,94(142,1)	0,17
Sec. prej.	2,76	2,48	1,32	1,13	1,71(141,1)	0,19
Client prej.	2,34	2,49	1,00	0,87	0,81(139,1)	0,37
Black educ.	2,30	2,93	1,10	1,12	5,61(75,1)	0,02 *
Comm. skills	2,36	3,03	1,09	1,98	7,17(85,01)	0,01 **
Inherent cap.	2,39	2,89	1,12	0,83	4,32(77,1)	0,04 *
Background	2,51	2,97	2,89	0,94	4,71(80,1)	0,03 *
Comm. pressure	3,43	3,37	1,12	1,03	0,07(81,1)	0,79
Sec. racist	2,54	2,48	1,15	0,99	0,05(77,1)	0,82

Questionnaire Items	Means		SD		F ratio(d.f.)	p>F
	C	A	C	A		
Clients racist	3,11	2,75	1,03	0,80	2,63(77,1)	0,11
Att. racist	2,31	1,86	1,11	0,92	3,52(81,1)	0,06
"Fit" - black	2,10	2,07	1,02	1,04	0,01(77,1)	0,93
Capability	1,69	2,07	0,78	0,96	3,63(77,1)	0,06
Soc. exclusion	1,82	2,04	0,94	0,98	0,91(75,1)	0,34
Do not 'belong'	2,69	2,42	1,24	0,76	0,98(75,1)	0,33
Commitment	2,94	2,69	1,01	0,74	1,24(75,1)	0,27
Reliability	1,77	2,04	0,72	1,00	2,01(78,1)	0,16
No prospects	2,47	2,07	0,99	0,88	3,30(78,1)	0,07
Inherent cap.	2,03	1,85	1,04	1,00	0,85(120,1)	0,36
Home prob.	2,36	2,61	1,09	1,15	1,53(122,1)	0,22
Sec. sexist	2,85	2,38	1,26	1,15	4,06(116,1)	0,05 *
Att. sexist	2,44	2,08	1,12	0,99	3,26(121,1)	0,07
Clients sexist	2,71	2,55	0,91	1,06	0,73(117,1)	0,40
Sex. harrass.	1,93	1,76	1,06	0,99	0,89(123,1)	0,35
Diff. stds.	2,70	2,27	0,99	1,27	4,44(120,1)	0,04 *
"Fit" - female	2,11	1,66	0,90	0,60	8,98(121,1)	0,00 **
Capability	1,86	1,72	0,99	0,83	0,58(121,1)	0,45
Do not 'belong'	1,95	1,92	0,90	0,98	0,03(124,1)	0,86
Soc. exclusion	1,77	1,57	0,85	0,58	2,00(120,1)	0,16
Commitment	2,16	1,85	0,90	0,66	4,14(120,1)	0,04 *
No prospects	2,19	1,78	0,91	0,72	7,11(122,1)	0,01 **
Assertiveness	2,34	1,98	1,17	0,95	3,30(123,1)	0,07
Reliability	1,76	1,53	0,94	0,54 *	2,48(123,1)	0,12
Male values	2,20	1,91	1,01	1,09	2,16(119,1)	0,14

* $p < ,05$ ** $p < ,01$

Table 12 shows that the responses of the attorney group differed statistically significantly from those of clerks on 13 of the items. Regarding items classified as entrant problems clerks differed significantly from attorneys on the following items:-

- . clerks have to learn the procedures and techniques of legal practice without formal instruction (differed significantly at the ,01 level).
- . how well a clerk 'fits in' in terms of dress and behaviour is more important than the quality of the clerk's work (at the ,01 level).
- . the training of clerks is not sufficiently structured (at the 0,5 level).
- . clerks are not given challenging or responsible work (at the ,05 level).

In each case the mean score for the clerk group was higher than that of clerks which suggests that clerks perceived the above to be more of a problem than attorneys.

Regarding items classified as black problems statistical differences between the two groups were found on the following items:-

- . Black clerks lack written and verbal communication skills (differed significantly at the ,01 level).
- . Black clerks who have attended black universities do not perform well (,05 level).
- . Black clerks 'do not have what it takes' to be successful in commercial law (,05 level).

- The social and economic background of black clerks negatively affects their performance (,05 level).

In each case the higher mean score obtained for the attorney group suggests that attorneys perceived these to be greater problems than clerks.

Finally, statistically significant differences between the two groups were found on the following five items classified as female problems:-

- Female clerks do not 'fit in' as well as male clerks in terms of dress and behaviour (,01 level).
- Female clerks will not be invited to stay on as professional assistants (,01 level).
- Secretarial staff do not treat male and female clerks equally (,05 level).
- Female clerks have to be better than male clerks to be treated equally (,05 level).
- Female clerks will not be invited to stay on as professional assistants (,05 level).

In each case the mean score for the clerk group was higher than that of attorneys which suggests that clerks perceived the above to be more of a problem than attorneys.

Research Question Five: Relationship between Race and Perceptions of the Problems

The fifth research question was whether race affected respondents' perception of the problems.

To determine the relationship between race and perceptions of the problems, black clerks' responses to the 46 items were initially compared with those of white clerks. A comparison between the perceptions of black and white attorneys was not carried out because of the very small number of black attorneys compared with white attorneys in the sample (47 white and 7 black attorneys).

A comparison of responses of black and white clerks on items in the questionnaire are shown in Table 13.

Table 13 shows that responses of black clerks differed statistically from those of white clerks on 11 items. Regarding entrant problems the following statistically significant differences were found:-

- Clerks are not willing to do mundane work (significant at the ,01 level).
- Secretarial staff do not help clerks as much as they should (,01 level).
- When clerks are given work they are not sure what is expected of them (,05 level).

The mean score for black clerks was lower than white clerks on the item relating to mundane work which suggests that white clerks saw this as more of a problem. On the other two items where significant differences were found black clerks' perceptions of the problems were stronger than white clerks.

Table 13

Comparison of responses of Black and White Clerks on items in questionnaire

Questionnaire Items	Means		SD		F ratio(d.f.)	p>F
	B	W	B	W		
Instructions	2,29	2,84	1,08	1,06	5,20(84,1)	0,03 *
Perf. stds.	3,03	3,58	1,52	1,27	3,14(83,1)	0,08
Feedback	2,90	3,43	1,35	1,33	3,15(87,1)	0,08
Training skills	2,87	2,78	1,28	1,37	0,08(88,1)	0,78
Training plan	3,29	3,75	1,41	1,00	3,02(79,1)	0,09
Structure	3,47	3,73	1,46	1,06	0,94(87,1)	0,34
Nature of work	2,27	2,32	1,26	1,14	0,04(87,1)	0,83
Initiating	1,93	1,95	1,10	0,96	0,01(87,1)	0,93
Poor instruct.	3,20	3,63	1,50	1,10	2,42(88,1)	0,12
"Fit" - clerks	2,36	2,00	1,42	1,07	1,71(85,1)	0,19
Routine work	3,14	2,29	1,33	1,04	10,52(85,1)	0,00 **
Lack initiative	2,14	2,07	1,19	0,88	0,09(84,1)	0,77
Att. unapproach	2,45	1,97	1,48	1,04	3,15(87,1)	0,08
Sec. prej.	3,31	2,49	1,29	1,28	7,95(86,1)	0,01 **
Client prej.	2,50	2,25	0,92	1,04	1,13(85,1)	0,29
Black educ.	2,36	2,26	1,38	0,75	0,09(46,1)	0,76
Comm. skills	2,36	2,37	1,31	0,84	0,00(53,1)	0,96
Inherent cap.	2,20	2,60	1,29	0,91	1,60(48,1)	0,21
Background	2,58	2,42	1,03	0,76	0,38(50,1)	0,54
Comm. pressure	3,73	3,15	1,22	0,97	3,58(50,1)	0,06
Sec. racist	2,78	2,27	1,41	0,78	2,56(47,1)	0,12

Questionnaire	Means		SD		F ratio(d.f.)	p>F
Items	B	W	B	W		
Clients racist	3,27	2,96	1,08	1,00	1,14(50,1)	0,29
Att. racist	2,65	2,07	1,23	0,98	3,73(51,1)	0,06
"Fit" - black	2,21	2,00	1,22	0,83	0,52(49,1)	0,47
Capability	1,42	1,93	0,72	0,78	5,83(49,1)	0,02 *
Soc. exclusion	1,86	1,78	1,23	0,80	0,10(47,1)	0,76
Do not 'belong'	2,96	2,48	1,58	0,85	1,83(48,1)	0,18
Commitment	3,08	2,81	1,14	0,90	0,91(48,1)	0,34
Reliability	1,52	2,00	0,71	0,68	6,17(50,1)	0,02 *
No prospects	2,75	2,19	1,03	0,90	4,18(48,1)	0,05 *
Inherent cap.	2,13	1,98	1,08	1,04	0,21(72,1)	0,58
Home prob.	2,72	2,18	0,94	1,13	4,16(72,1)	0,05 *
Sec. sexist	3,24	2,62	1,30	1,21	3,97(68,1)	0,05 *
Att. sexist	2,21	2,56	1,02	1,16	1,60(72,1)	0,21
Clients sexist	2,58	2,77	0,65	1,03	0,63(69,1)	0,43
Sex. harrass.	2,24	1,78	1,30	0,91	3,17(73,1)	0,08
Diff. stds.	2,40	2,85	0,65	1,11	3,54(71,1)	0,06
"Fit" - female	2,31	1,98	0,88	0,90	2,28(73,1)	0,14
Capability	2,15	1,69	1,05	0,94	3,76(73,1)	0,06
Do not 'belong'	2,00	1,90	0,82	0,94	1,00(74,1)	0,66
Soc. exclusion	1,67	1,80	0,70	0,90	0,40(72,1)	0,53
Commitment	2,48	2,00	0,82	0,91	4,88(72,1)	0,03 *
No prospects	2,64	1,96	0,91	0,84	10,29(72,1)	0,00 **
Assertiveness	2,58	2,20	1,21	1,15	1,71(73,1)	0,19
Reliability	2,19	1,55	1,13	0,74	8,77(73,1)	0,00 **
Male values	2,04	2,28	1,04	1,01	0,88(72,1)	0,35

* $p < ,05$ ** $p < ,01$

Statistically significant differences between the two groups were found on the following three race-related items:-

- . Black clerks are not as capable as white clerks.
- . Black clerks are not as reliable as white clerks.
- . Black clerks will not be invited to stay on as professional assistants.

Regarding the items on capability and reliability, the mean score for black clerks was lower than for white clerks indicating that whites viewed these as more prevalent problems than black clerks did. On the third item where statistically significant differences were found, black clerks perceived a lack of commitment by black clerks as less of a problem than white clerks.

Finally, statistically significant differences were found between black and white clerks on the following five items classified as female problems:-

- . Female clerks will not be invited to stay on as professional assistants (significant at the ,01 level).
- . Female clerks are not as reliable as male clerks (,01 level).
- . Problems at home negatively affect female clerks (,05 level).
- . Female clerks will not choose to stay with the firm after articles (,05 level).

In all cases the mean score for black clerks was higher than for white clerks which suggests that blacks saw the above to be greater problems than female clerks did.

Research Question Six: Relationship between Gender and
Perceptions of the Problems

The sixth research question was whether the gender of respondents affected their perceptions of the problems. To determine the relationship between gender and perceptions of the problems the responses of male clerks to the 46 items were compared to those of female clerks. A comparison between the perceptions of male and female attorneys was not made because of the small number of female attorneys compared with male attorneys in the sample (11 female and 43 male attorneys).

Table 14 shows the means and standard deviations of the responses of the two groups and the results of the one way analyses of variance which were carried out to test for significant differences between the responses of male and female clerks to each item. The table shows that statistically significant differences between the aggregate responses of male and female clerks were found on 15 of the items.

Table 14

Comparison of responses of Female and Male Clerks on items in questionnaire

Questionnaire Items	Means		SD		F ratio(d.f.)	p>F
	F	M	F	M		
Instructions	2,70	2,62	1,08	1,11	0,12(85,1)	0,73
Perf. stds.	3,53	3,28	1,30	1,43	0,67(84,1)	0,41
Feedback	3,41	3,13	1,28	1,40	0,89(88,1)	0,35
Training skills	2,65	2,91	1,40	1,28	0,83(89,1)	0,36
Training plan	3,69	3,50	1,00	1,28	0,49(80,1)	0,48
Structure	3,56	3,65	1,25	1,23	0,12(88,1)	0,73
Nature of work	2,25	2,33	1,16	1,18	0,11(88,1)	0,74
Initiating	1,86	2,00	0,89	1,07	0,40(88,1)	0,53
Poor instruct.	3,51	3,44	1,04	1,40	0,07(89,1)	0,80
"Fit" - clerks	1,81	2,33	0,75	1,38	4,25(86,1)	0,04 *
Routine work	2,30	2,78	1,08	1,25	3,63(86,1)	0,06
Lack initiative	2,27	1,98	1,05	0,94	1,85(85,1)	0,18
Att. unapproach	1,86	2,30	0,82	1,40	2,92(88,1)	0,09
Sec. prej.	2,53	2,92	1,30	1,33	1,95(87,1)	0,17
Client prej.	2,39	2,31	1,10	0,94	0,14(86,1)	0,71
Black educ.	2,12	2,41	0,78	1,24	0,76(47,1)	0,39
Comm. skills	2,14	2,49	0,91	1,17	1,32(54,1)	0,26
Inherent cap.	2,32	2,44	0,95	1,22	0,14(49,1)	0,71
Background	2,29	2,66	0,72	0,97	2,25(51,1)	0,14
Comm. pressure	2,86	3,81	1,06	1,00	11,04(51,1)	0,00 **
Sec. racist	2,10	2,86	0,94	1,88	6,00(48,1)	0,02 *
Clients racist	2,90	3,25	0,94	1,08	1,43(51,1)	0,24

Questionnaire	Means		SD		F ratio(d.f.)	p>F
Items	F	M	F	M		
Att. racist	1,92	2,63	1,02	1,10	6,06(52,1)	0,02 *
"Fit" - black	1,76	2,32	0,77	1,12	4,05(50,1)	0,05 *
Capability	1,67	1,71	0,66	0,86	0,04(50,1)	0,85
Soc. exclusion	1,62	1,97	0,67	1,09	1,67(48,1)	0,20
Do not 'belong'	2,33	2,93	0,91	1,39	3,00(49,1)	0,09
Commitment	2,55	3,19	0,83	1,05	5,39(49,1)	0,02 *
Reliability	1,86	1,72	0,57	0,81	0,46(51,1)	0,50
No prospects	2,00	2,77	0,92	0,92	8,62(49,1)	0,01 **
Inherent cap.	1,75	2,28	0,94	1,08	5,18(73,1)	0,03 *
Home prob.	1,92	2,77	1,05	0,96	13,48(73,1)	0,00 **
Sec. sexist	2,57	3,05	1,25	1,24	2,59(69,1)	0,11
Att. sexist	2,46	2,43	1,22	1,04	0,02(73,1)	0,90
Clients sexist	2,59	2,80	1,04	0,79	0,91(70,1)	0,34
Sex. harrass.	1,68	2,18	0,88	1,17	4,47(74,1)	0,04 *
Diff. stds.	3,06	2,40	1,18	0,67	9,05(72,1)	0,00 **
"Fit" - female	1,91	2,27	0,95	0,84	2,98(74,1)	0,09
Capability	1,34	2,29	0,59	1,06	22,36(74,1)	0,00 **
Do not 'belong'	1,78	2,10	1,06	0,71	2,41(75,1)	0,13
Soc. exclusion	1,75	1,79	1,00	0,70	0,05(73,1)	0,82
Commitment	1,81	2,49	0,89	0,79	12,36(73,1)	0,00 **
No prospects	1,83	2,51	0,85	0,85	11,96(73,1)	0,00 **
Assertiveness	2,09	2,56	1,15	1,16	3,19(74,1)	0,08
Reliability	1,17	2,27	0,38	0,98	39,98(74,1)	0,00 **
Male values	2,29	2,12	0,09	0,95	0,52(73,1)	0,47

* $p < ,05$ ** $p < ,01$

Regarding items classified as entrant problems, the two groups' perceptions of the problem of how well a clerk 'fits in' in terms of dress and behaviour is more important than the quality of the clerk's work differed significantly. The mean score of male clerks was higher than female clerks on this item indicating a stronger perception by male clerks that this problem existed.

Regarding items classified as black problems statistical differences were found between the two groups on the following six items:-

- . Black clerks have to cope with pressures on them to help their communities more than whites (significant at the ,01 level).
- . Black clerks will not be invited to stay on as professional assistants (,01 level).
- . Secretarial staff do not treat black and white clerks equally (,05 level).
- . Attorneys discriminate against black clerks (,05 level).
- . Black clerks do not 'fit in' as well as white clerks in terms of their dress and behaviour (,05 level).
- . Black clerks will not choose to stay with the firm after articles (,05 level).

In all cases the mean score for female clerks was lower than for male clerks suggesting that female clerks perceived these to be less of a problem than male clerks.

Finally, regarding items classified as female problems the two groups differed significantly on the following items:-

- . Problems at home negatively affect female clerks (significant at ,01 level).
- . Female clerks have to be better than male clerks to be rated equally (,01 level).
- . Female clerks are not as capable as male clerks (,01 level).
- . Female clerks will not choose to stay with the firm after articles (,01 level).
- . Female clerks will not be invited to stay on as professional assistants (,01 level).
- . Female clerks are not as reliable as male clerks (,01 level).
- . Female clerks do not have "what it takes" to be successful (,05 level).
- . Female clerks are sexually harrassed (,05 level).

The mean score for female clerks was higher for the item relating to the problem of females having to be better than males to be rated equally suggesting a stronger perception by female clerks that this was a problem. On the other seven items, male clerks appeared to view the seven problems depicted by the items as more of a problem than female clerks did.

Further analyses regarding research questions four to six

Reported so far are that results of the data analyses carried out to compare responses of different groups to individual items in the questionnaire.

In chapter three, however, it was supposed that individual items could be grouped under the three broad problem categories of entrant problems, race-related/black problems and gender-related/female problems. It was also assumed that each of the problem categories consisted of a number of problem types or constructs. Further analyses dealing with problem types/constructs rather than individual questionnaire items were therefore carried out as described below.

The first stage of this line of analysis consisted of item analyses on the different sets of items which had earlier been assumed to form 14 constructs or problem types under the broader categories: entrant problems, race problems and gender problems. It was felt that such analyses would indicate those constructs consisting of homeogenous (in terms of variance measured) items.

The item analyses consisted of calculating product moment correlation coefficients between the scores of the total sample on a specific item and the summated score of all items supposedly belonging to the same construct. The correlation coefficient obtained was regarded as representing the "uncorrected" item weight of that item. Product moment correlations among scores on the items in a construct were also computed.

The homogeneity of the constructs was determined by a supplementary calculation which yielded Cronbach Alpha coefficients for each of the constructs making up a problem category. The Alpha coefficients obtained from these calculations are shown in Table 15.

Table 15

Alpha coefficients for subgroupings of items

Problem	Construct	Nos of questionnaire items in construct	Alpha coefficient
<hr/>			
Entrant	Lack of professional management	5	0,70
	Poor Job Training	3	0,76
	Clerks themselves	2	0,42
	Work environment	3	0,63
	Support staff	1	Not applicable
	Client's unwillingness	1	Not applicable
Race- related	Inherent capabilities	1	Not applicable
	External conditions	5	0,50
	Discrimination	6	0,71
	Social projection	3	0,65
Female- related	Inherent capabilities	1	Not applicable
	External conditions	2	0,27
	Discrimination	9	0,80
	Social projection	4	0,73

The item weights obtained from the item analyses were without exception higher than ,30 which is generally regarded as a preferred minimum item weight (Thorndike, 1971). This is at least partially due to the item weights being "uncorrected". Corrected item weights could not be obtained due to deficiencies in the computer programme used. (Uncorrected item weights are "inflated" due to the item score forming part of the summated score with which it is correlated).

When an Alpha coefficient of $< ,60$ was obtained from the preceding analyses certain items were rejected in accordance with the following two 'decision rules'.

- . An item was rejected if it did not have an item weight (uncorrected) of $> ,50$ - that is, if it was not substantially higher than the preferred minimum proposed by Thorndike (1971). This was done to try and compensate for the error variance which was probably included in the uncorrected item weights (Thorndike 1971).
- . An item was rejected if its item weight was $> ,50$ but substantially lower than the item weights of the other items in the relevant construct. For example item 28 was rejected from the construct 'social projection' as its item weight was ,66 while the item weights of the other items in the construct were respectively ,84 and ,85.

The items which were eliminated from the construct 'external conditions' under the category race-related problems were items 20 and 22. From the construct 'social projection', also under the category of race-related problems, item 28 was rejected.

The constructs consisting of one item only were also left out of the analyses since the relevant analyses on individual items were reported earlier. These constructs were 'support staff' and 'clients unwillingness' under the category entrant problems, 'inherent capabilities' under race-related problems and 'inherent capabilities' under female related problems. Finally, the constructs 'clerks themselves' from the entrant problem category and 'external conditions' from the female related problem category were eliminated as these constructs each contained only two items and had low Alpha coefficients.

The constructs included in further analyses, the items contained in them and the respective Alpha coefficients are shown in Table 16.

Further analyses of variance were then carried out as follows. Firstly, attorneys and clerks perceptions of the constructs or problem types were compared. The results of the analyses of variance are shown in Table 17.

Table 16

Composition of constructs after item analyses

Problem category	Construct	Items	Alpha coefficient
Entrant	Lack of Professional management	1,2,3,4,7	0,70
	Poor job training	5,6,9	0,76
	Work environment	8,10,13	0,63
Race-related	External conditions	16,17,19	0,84
	Discrimination	21,23,24,26 27,30	0,71
	Social projection	25,29	0,83
Female-related	Discrimination	33,34,36,37, 38,40,41,43,46	0,80
	Social projection	39,42,44,45	0,73

Table 17

Results of Analyses of Variance on Construct Scores (Attorneys vs Clerks)

Problem Category	Construct	Means		SD		F (d.f.)	p>F
		A	C	A	C		
Entrant	Prof. mng.	12,92	14,45	3,73	4,28	4,58(134,1)	0,03 *
	Job train.	9,55	10,79	2,71	3,06	5,47(129,1)	0,02 *
	Work env.	5,20	6,19	1,97	2,56	5,85(138,1)	0,02 *
Race	Ext. cond.	15,38	14,33	2,91	3,15	1,89(66,1)	0,17
	Disc.	13,16	13,93	4,06	3,95	0,60(67,1)	0,44
	Soc. Proj.	6,77	6,45	2,35	1,77	0,41(72,1)	0,52
Female	Disc.	17,54	20,35	5,59	5,40	6,55(102,1)	0,01 **
	Soc. Proj.	7,00	8,05	2,21	3,00	4,16(116,1)	0,04 *

Table 17 shows that significant differences at the ,05 level existed between attorneys and clerks' perceptions on all three of the constructs within the category of entrant problems. Significant differences at the ,05 level were also found regarding the two groups' perceptions of the constructs falling under the category of female problems. No significant differences were however found regarding the constructs within the category of race-related problems.

Regarding mean scores obtained for the two groups, the mean scores for clerks on the constructs contained under entrant problems were higher than those of attorneys. The same is true for the two constructs in the female problem category. This suggests that, on these types of problems, clerks' perceptions' that the particular problem existed were stronger than those of attorneys.

Black and white clerks' perceptions of the constructs or problem types were then compared. The results of the analyses of variance performed are shown in Table 18.

Table 18

Results of Analyses of Variance on Construct Scores (Black clerks vs White Clerks)

Problem Category	Construct	Means		SD		F (d.f.)	p>F
		B	W	B	W		
Entrant	Prof. mng.	13,29	15,15	4,63	3,97	3,60(79,1)	0,06
	Job train.	9,93	11,36	3,82	2,39	4,29(79,1)	0,04 *
	Work env.	6,73	5,95	2,71	2,50	1,68(83,1)	0,20
Race	Ext. cond.	15,40	13,38	3,47	2,60	4,48(39,1)	0,04 *
	Disc.	15,78	12,56	4,41	3,10	7,92(41,1)	0,01 **
	Soc. Proj.	6,10	6,73	2,00	1,59	1,48(45,1)	0,23
Female	Disc.	20,90	20,00	4,80	5,76	0,38(60,1)	0,54
	Soc. Proj.	9,20	7,45	3,20	2,77	5,86(70,1)	0,02 *

From Table 18 it seems that poor job training was the only construct in the category of entrant problems where clerks' perceptions differed significantly at the .05 level from those of attorneys. In the category of race-related problems the two groups differed significantly at the .05 level regarding external conditions and discrimination. Regarding social projection no significant differences were found. In contrast social projection was the only construct in the gender-related problem category where a significant difference in perceptions at the .05 level was found.

Regarding mean scores, the mean scores of white clerks were higher than black clerks on two of the entrant category constructs indicating that white clerks perceived these as greater problems. Black clerks however had a higher mean score on the two constructs in the black problem category where significant differences were found. The mean score of black clerks was also higher on the two constructs in the female problem category. From these mean scores it appears that black clerks' perceptions that the above race and gender-related problems existed were stronger than white clerks'.

Finally, male and female clerks' perceptions of the constructs or problem types were compared. The results of the analyses of variance are shown in Table 19.

Table 19

Results of Analyses of Variance on Constructs (Female clerks vs Male Clerks)

Problem Category	Construct	Means		SD		F (d.f.)	p>F
		F	M	F	M		
Entrant	Prof. mng.	14,69	14,30	4,00	4,48	0,16(80,1)	0,69
	Job train.	11,03	10,64	2,47	3,41	0,32(80,1)	0,58
	Work env.	5,56	6,64	1,86	2,90	3,88(84,1)	0,05 *
Race	Ext. cond.	12,63	15,38	2,53	3,07	9,09(40,1)	0,004 **
	Disc.	11,67	15,50	2,47	4,05	12,76(42,1)	0,001 **
	Soc. Proj.	6,21	6,62	1,18	2,08	0,61(46,1)	0,44
Female	Disc.	20,00	20,61	5,29	5,54	0,20(66,1)	0,66
	Soc. Proj.	6,44	9,46	1,91	3,09	24,30(71,1)	0,00 **

From this table it seems that male and female clerks held significantly different perceptions at the ,05 level of the construct 'work environment' with males perceiving this as more of a problem than females.

Significant differences at the ,01 level between the groups were also found on two of the constructs in the category of race-related problems and on the construct 'social projection' in the category of female problems. Regarding race-related problems the mean scores of female clerks were lower than those of male clerks. The same was true for the two constructs in the female problem category. This suggests that males perceptions' that these problems existed were stronger than that of female clerks.

CHAPTER FIVE

Discussion of Results

The information presented in the Results section will be discussed in terms of the research questions posed at the outset of the study. Where possible findings from the present study will be related to the findings of previous studies which were reviewed in chapter two.

Summary of Results

Existence of Entrant Problems in the legal profession

From the descriptive analysis it appears that at least some clerks in the legal profession experience problems which typically are experienced by entrants to organisations. Specifically they seem to experience the following six types of problems:-
a lack of professional management, poor job training, shortcomings in the clerks themselves, a non-supportive work environment, lack of cooperation from secretarial staff and unwillingness by clients to deal with articled clerks.

This finding is in accordance with the findings of previous studies in other kinds of organisations reported in chapter two (refer among others to studies by Dalton, Thompson & Price, 1977; Feldman, 1976; Hall & Lawler, 1969; Moment & Fisher, 1973; Schein, 1978).

The finding indicating that poor job training is possibly a problem for entrants to the legal profession is however apparently a new finding or has at least not been generally reported in the literature on organisational socialisation problems. That training which is not sufficiently structured, does not include a training plan matching individual training needs and which requires people to learn without formal instruction was perceived by respondents as a problem in the legal profession is a significant finding. It indicates that young graduates entering organisations have a need for structured job training if they are to be adequately prepared for their future professional role. It also substantiates the finding by Webber (1976) that graduates are unable to effectively apply the theoretical knowledge they have learned to practical work problems.

Notably the results from the present study only relate to the problems investigated and do not include all the problems identified by previous research as typical entrant problems. Whether problems like the type of socialisation strategy employed by the organisation (van Manen, 1978), lack of peer group support (Becker et al, 1969, Hall, 1969) and work-home conflicts (Feldman, 1976, Schein, 1978) also exist in the profession was not ascertained by the present study.

At the same time it should be noted that although each problem investigated was seen to exist in the profession there were respondents who, with respect to each problem, did not perceive it as a problem, were uncertain or felt unable to respond. This is reflected in the different mean scores of the different groups on each of the 15 items related to entrant problems. It is also reflected in the fact that on only five out of the 15 items did more than 50 % of respondents 'agree' or 'strongly agree' that the problems existed. Problems which were seen by more than 50 % of respondents to exist were a lack of measurable performance standards, a lack of feedback, lack of a training plan, insufficient structure in the training and a lack of formal instruction in the procedures and practices of law.

Regarding differences in perception of the problems it appears, from the results, that different groups hold different perceptions of the entrant problems identified. Specifically, from the analyses of variance carried out, it was found that clerks held stronger perceptions than attorneys that the following types of problem existed - lack of professional management, poor job training and a non-supportive work environment. Similarly it seems that black clerks have a stronger perception than white clerks that poor job training is a problem. Finally, female clerks perceive a non-supportive work environment as more of a problem than their male counterparts.

Existence of Race-related Problems in the legal profession

From the descriptive analysis it appears that the race-related problems investigated by the study exist in the legal profession. Specifically the results suggest that the following four types of problems exist:- an inherent lack of capability, problems related to the socio-political-economic situation which impact negatively on blacks, racial discrimination and a lack of capability, reliability and commitment to the firm on the part of black clerks.

The frequency of 'strongly agree'/'agree' responses on items in the questionnaire pertaining to race-related problems however suggests that these problems are only perceived to exist by a limited number of people in the legal profession. Given the findings from other studies and that the Attorneys Training Project was set up primarily in response to problems experienced in integrating black clerks into the profession, it is surprising that a larger proportion of respondents did not support the existence of race-related problems. Further research is needed to determine the reasons for this result. Two possible explanations for the relative lack of support for black problems are, however, offered below.

Firstly, considerably fewer respondents expressed an opinion on race-related problems compared with the number who commented on entrant and/or gender-related problems. That many respondents gave a 'non-applicable' response to items in the category of black problems, possibly because there were no black clerks in their respective firm, would account for the relatively low frequency of responses supporting the existence of black problems.

Secondly, the greater number of whites than blacks in the sample (73,7 % compared with 26,3 %) could possibly have affected the results. The views expressed on black problems are largely white views and from the comparison made between white and black clerks it appears that white clerks tended to believe less strongly than their black counterparts that race-related problems existed (significant differences were found between black and white clerks regarding the problems of 'external conditions' and 'racial discrimination' with blacks viewing both these problems as occurring more frequently than whites).

White respondents' knowledge of race-related problems is possibly more limited than their knowledge of either typical entrant or female problems. They may, therefore, have felt they had insufficient knowledge of black problems to support their existence. This possible explanation is, at least conceptually, supported by a view put forward by Carlisle (1987). According to Carlisle, the perceptions and feelings which people have of minority problems is a function of two factors - consciousness and power/control. Whites' position in South African society, he says, means that they have a low consciousness of minority problems and a high level of power - what he terms "blind power". In his opinion they may consequently be genuinely unaware that specific race-related problems exist.

Alternatively, a tendency to make a socially desirable response may possibly have affected the perceptions of white respondents. As members of the legal profession, white respondents were highly qualified and, even if presently low earners as clerks, are potentially very high income earners.

Given Human and Icely's (1987) finding that the higher the education qualifications and income of the white person the more tolerant and positive is that person's attitude to so-called "black advancement", fairly tolerant and liberal attitudes would be expected from white respondents.

Regarding the relationship between the findings from the present study and those of previous findings, it seems firstly that support found in this study for the problem of blacks being under pressure to put their community before any personal ambitions to succeed in the commercial world is in accordance with previous research (Piron et al, 1983). Support in the present study for other factors in the socio-economic-political environment which impact negatively on black clerks is also consistent with other studies dealing with these problems in the South African situation (Charoux, 1986; Hofmeyr, 1983; Human & Hofmeyr, 1985; Watts, 1985 and Wella, 1983).

Regarding inherent capability and social projection, the percentages reported suggest that very few people perceive black clerks as less capable (2,8 %) or less reliable (2,1 %) than their white counterparts. A larger proportion, but still relatively few respondents, viewed them as inherently incapable/"not having what it takes" (10,4 %) or as not committed/not choosing to stay with the firm after articles (11,8 %). These findings lend only very tentative support to the findings of previous studies which showed that blacks in organisations are typically seen as lacking characteristics necessary for success (Coldwell & Moerdyk, 1981; Fernandez, 1975; Human, 1988 and Tabane, 1979).

The finding that all the racial discrimination problems investigated were supported by at least some respondents is consistent with the findings of research studies reviewed in chapter two (Dickens & Dickens, 1982; Human, 1984; Jones, 1986; Luney 1984). That black clerks saw discrimination as a problem more often than white clerks is also consistent with previous research which showed that blacks hold stronger perceptions than whites that race-related problems exist (Fernandez, 1975; van Greuning, 1987). In addition the present study showed that the number of males who perceived racial discrimination as a problem was statistically significantly higher than the number of females. Differences in professional/hierarchical status was however not a factor significantly related to the perception of race-related problems.

Existence of Gender-related problems in the legal profession

From the results of the present study it seems that the gender-related problems investigated exist in the legal profession. Specifically that a perceived lack of inherent capability, problems in the broader social context which impact negatively on females, sexual discrimination and a lack of capability, reliability, assertiveness and commitment to the firm are gender-related problems experienced by female clerks.

From the frequency of 'strongly agree'/'agree' responses it seems that gender-related problems are perceived to exist more frequently in the profession than race-related problems.

The reasons for the greater support by respondents of gender-related problems was not determined by the present study. According to members of the Attorneys Training Project, however, the white, male dominated profession opened its doors to females earlier than it did to blacks and there are currently more female than black clerks. It is possible that the greater number of female clerks may account for the fact that female problems were perceived to exist by a larger proportion of respondents.

Regarding external conditions, the finding that client prejudice (15,8 %) and problems at home (15,8 %) present problems to some women in the legal profession is consistent with previous research (Bingham, 1986). Support for the existence of sexual discrimination in the profession is also consistent with findings in other organisations (Dahl Hooks, 1984; Fraker, 1984; Gallese, 1985; Johnson, 1987).

Comparing the frequency of 'strongly agree'/'agree' responses on racial vs sexual discrimination it seems that the latter is perceived more frequently in the legal profession. Regarding inherent capability and social projection factors the results from the present study are similar to other recent research findings in South Africa. Human and Allie (1988) found that roughly one fifth of the white male managers included in their study were doubtful of the ability of women to perform competently in management due either to a lack of inherent capability and/or a lack of the character traits necessary to succeed.

In the present study 13,7 % of respondents perceived female clerks as less assertive than males, while a smaller percentage viewed female clerks as "not having what it takes", less capable, reliable or committed than their male counterparts.

Finally, regarding differences in perceptions of gender-related problems the study suggests that clerks more than attorneys, blacks more than whites and males more than females perceive gender-related problems to exist in the legal profession.

Conclusions and Recommendations

For Further Research

The present study has identified, albeit tentatively, the problems or barriers to the effective socialisation of entrants into the legal profession in a number of attorney practices on the Witwatersrand. Similarly, it has suggested that certain race-related and gender-related problems may possibly exist in the profession. It has also indicated where differences in the perceptions of the problems exist - between attorneys and clerks, black clerks and white clerks, male clerks and female clerks in the profession. It is submitted that these findings have increased the readiness of those firms who participated in the study to develop appropriate solutions to the problems. The study has also provided a practical tool which individual firms can use to investigate typical entrant, black and female problems within their own firms.

Further research, with a larger or more representative sample and covering a greater number of entrant problems would allow for more certain conclusions to be drawn. The development of a validated instrument would also ensure a more definitive determination of problems pertaining to clerks in the legal profession than was possible in this exploratory study - the intention of which was not the development of a validated attitude measurement scale.

Further research to ascertain the affects of those problems which were perceived to exist on factors like job satisfaction, psychological adjustment and organisational retention rates is recommended. Finally experimental research to investigate the efficacy of practical solutions to the problems identified is another possibility for further research. For example, an investigation of the affect of implementing a structured approach to job training and/or the extent to which assertiveness training for female clerks contributes to an alleviation of their problems would be useful.

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(1)

QUESTIONNAIRE FOR ARTICLED CLERKS AND ATTORNEYS

1. For each of the following statements there are six alternatives from which to select :

Strongly Agree (SA) Agree (A)
 Moderately (U) Disagree (D)
 Strongly Disagree (SD) Not Applicable (NA)

For each statement place a cross in the appropriate box. (Consider each statement in terms of what is generally the situation in your firm; in the job you currently do (ie, as an articulated clerk or attorney). Ignore exceptions to the general situation.

Example item :

In my firm articulated clerks are over supervised ☒ SA ☐ A ☐ U ☐ D ☐ SD ☐ NA

1.1 In my firm when clerks are given work they are not sure what is expected of them ☐ SA ☐ A ☐ U ☐ D ☐ SD ☐ NA

1.2 In my firm, measurable performance standards for clerks have not been set ☐ SA ☐ A ☐ U ☐ D ☐ SD ☐ NA

1.3 In my firm clerks are not given enough feedback on performance ☐ SA ☐ A ☐ U ☐ D ☐ SD ☐ NA

1.4 In my firm attorneys lack coaching and training skills ☐ SA ☐ A ☐ U ☐ D ☐ SD ☐ NA

1.5 In my firm each clerk does not have a training plan matching the clerk's training needs ☐ SA ☐ A ☐ U ☐ D ☐ SD ☐ NA

1.6 In my firm the training of clerks is not sufficiently structured ☐ SA ☐ A ☐ U ☐ D ☐ SD ☐ NA

1.7 In my firm clerks are not given challenging or responsible work ☐ SA ☐ A ☐ U ☐ D ☐ SD ☐ NA

Office Use

☐ ☐ ☐ ☐ 1-5
 case number
 card number

6

7

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11

12

... (2)

1.8	In my firm clerks are not allowed to show initiative	SA	A	U	D	SD	NA	Office Use	13
1.9	In my firm clerks have to learn the procedures and techniques of legal practice without formal instruction	SA	A	U	D	SD	NA		14
1.10	In my firm, how well a clerk "fits in", in terms of dress and behaviour, is more important than the quality of the clerk's work	SA	A	U	D	SD	NA		15
1.11	In my firm, clerks are not willing to do routine work	SA	A	U	D	SD	NA		16
1.12	In my firm clerks do not show initiative	SA	A	U	D	SD	NA		17
1.13	In my firm clerks are unable to approach attorneys with their problems	SA	A	U	D	SD	NA		18
1.14	In my firm secretarial staff do not help clerks as much as they should	SA	A	U	D	SD	NA		19
1.15	In my firm clients do not want to deal with articulated clerks	SA	A	U	D	SD	NA		20
NOTE : "black clerk" includes Asian, Coloured and African clerks									
1.16	In my firm black clerks who have attended black universities do not perform well	SA	A	U	D	SD	NA		21
1.17	In my firm black clerks lack written and verbal communication skills	SA	A	U	D	SD	NA		22

...

Office Use

34

1.29 In my firm black clerks are not as reliable as white clerks

SA

A

U

D

SD

NA

35

1.30 In my firm black clerks will not be invited to stay on as professional assistants

SA

A

U

D

SD

NA

36

1.31 In my firm female clerks do not "have what it takes" to be successful

SA

A

U

D

SD

NA

37

1.32 In my firm problems at home negatively affect female clerks

SA

A

U

D

SD

NA

38

1.33 In my firm secretarial staff do not treat male and female clerks equally

SA

A

U

D

SD

NA

39

1.34 In my firm attorneys discriminate against female clerks

SA

A

U

D

SD

NA

40

1.35 In my firm clients prefer to deal with male clerks

SA

A

U

D

SD

NA

41

1.36 In my firm female clerks are sexually harassed

SA

A

U

D

SD

NA

42

1.37 In my firm female clerks have to be better than male clerks to be rated equally well

SA

A

U

D

SD

NA

43

1.38 In my firm female clerks do not "fit in" as well as male clerks in terms of dress and behaviour

SA

A

U

D

SD

NA

44

1.39 In my firm female clerks are not as capable as male clerks

SA

A

U

D

SD

NA

Office Use

23

1.18 In my firm black clerks do not "have what it takes" to be successful in commercial law

SA

A

U

D

SD

NA

24

1.19 In my firm the social and economic background of black clerks negatively affects their performance

SA

A

U

D

SD

NA

25

1.20 In my firm black clerks have to cope with pressures on them to help their communities more than white clerks

SA

A

U

D

SD

NA

26

1.21 In my firm secretarial staff do not treat black and white clerks equally

SA

A

U

D

SD

NA

27

1.22 In my firm black clerks are more successful when they deal with black clients

SA

A

U

D

SD

NA

28

1.23 In my firm attorney's discriminate against black clerks

SA

A

U

D

SD

NA

29

1.24 In my firm black clerks do not "fit in" as well as white clerks in terms of their dress and behaviour

SA

A

U

D

SD

NA

30

1.25 In my firm black clerks are not as capable as white clerks

SA

A

U

D

SD

NA

31

1.26 In my firm black clerks are excluded from social events

SA

A

U

D

SD

NA

32

1.27 In my firm black clerks feel that they "do not belong"

SA

A

U

D

SD

NA

33

1.28 In my firm black clerks will not choose to stay with the firm after articles

SA

A

U

D

SD

NA

BIOGRAPHICAL PARTICULARS

1.40	In my firm female clerks feel that they "do not belong"	SA	A	U	D	SD	NA	45
1.41	In my firm female clerks are excluded from social events	SA	A	U	D	SD	NA	46
1.42	In my firm female clerks will not choose to stay with the firm after articles	SA	A	U	D	SD	NA	47
1.43	In my firm female clerks will not be invited to stay on as professional assistants	SA	A	U	D	SD	NA	48
1.44	In my firm female clerks are not as assertive as male clerks	SA	A	U	D	SD	NA	49
1.45	In my firm female clerks are not as reliable as male clerks	SA	A	U	D	SD	NA	50
1.45	In my firm the right way of doing things is the "male" way	SA	A	U	D	SD	NA	51

1. Professional status : Articled clerk 1
Attorney 2

2. This section to be completed by articled clerks
If you are an attorney proceed to Section 3

2.1 Sex : Male 1 Female 2

2.2 Population group : Asian 1 White 2
Coloured 3 Black 4

2.3 Have you completed your degree : Yes ... 1 No ... 2

2.4 Which degree(s) have you obtained/are you studying for?
B.L.S. 1 B.L.C. 2 B.Proc 3
B.A. 4 B.Com 5 L.L.B. 6
Other (specify)

2.5 At which university(s) did you study/are you studying?
.....

2.6 For how long have you been serving articles of clerkship?
Less than 6 mths 1 6 mths - 12 mths 2
12 mths - 24 mths 3 More than 24 mths 4

2.7 To what extent is your firm involved in the following work?

	A great deal	Not at all
Supreme Court work	5 4 3 2 1	
Magistrate's Court work	5 4 3 2 1	
Commercial work	5 4 3 2 1	
Estates	5 4 3 2 1	
Conveyancing	5 4 3 2 1	
Other (specify)	5 4 3 2 1	
	5 4 3 2 1	

PLEASE COMPLETE THE BIOGRAPHICAL DETAILS OVERLEAF

52	53	54	55	56	57	58	59-60	61	62	63	64	65	66	67	68	69
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ATTORNEYS TRAINING PROJECT

Appendix 2

125

P O Box 927
Johannesburg
2000
DOCEX No 2

Dear Sir/Madam

The Attorneys Training Project is a project backed by Attorneys firms in Johannesburg with the support of the Black Lawyers Association - Legal Education Centre, The Association of Law Societies and the Johannesburg Attorneys Association. The principal purpose of the project is to improve the recruitment and training of entrants into the attorneys' profession, particularly those from disadvantaged backgrounds. To achieve this purpose, we believe it is important for us to establish the cause of the problems experienced by articled clerks during articles. Having established the causes of the problems we will then be able to plan the necessary steps to overcome these.

Wendy Lambourne, who is currently studying for an MA degree in Industrial Psychology through the University of Cape Town, has met with a number of attorneys and articled clerks on our behalf and drawn up the attached questionnaire.

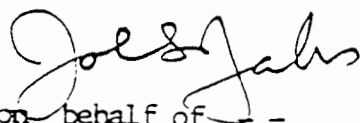
The questionnaire consists of statements of the types of problems experienced during articles as perceived by the people she spoke to. Your opinions on these statements will be a valuable contribution to achieving the aims of the project.

Completion of the questionnaire will not take much of your time. In answering the questions there are obviously no right or wrong answers. All we want to know is just what you think. The questionnaire is anonymous so your name will in no way be connected with the findings of this study.

We would be most grateful if you would complete this questionnaire and return it to us in the stamped-addressed envelope provided. Please return by 24 June 1988.

Thank you for your assistance.

Yours sincerely


on behalf of -

THE ATTORNEYS TRAINING PROJECT

13 AUG 1989